

Senate Bill 449

By: Senators Walker III of the 20th, Kennedy of the 18th, Anavitarte of the 31st, Gooch of the 51st, Payne of the 54th and others

AS PASSED

A BILL TO BE ENTITLED

AN ACT

1 To amend various titles of the Official Code of Georgia Annotated so as to provide certain
2 licensure requirements, regulations, and prohibitions relating to nurses and other medical
3 professionals; to amend Code Section 31-7-12.8 of the Official Code of Georgia Annotated,
4 relating to certification as nursing aide and employer sponsored training and competency
5 examination program, so as to change certain provisions relating to such certification and
6 programs; to allow certain military medical personnel to qualify for provisional certification
7 as a certified nursing aide; to amend Article 3 of Chapter 11 of Title 31 of the Official Code
8 of Georgia Annotated, relating to personnel regarding emergency medical services, so as to
9 allow certain military medical personnel to provisionally qualify as a paramedic, cardiac
10 technician, or an emergency medical technician; to amend Article 2 of Chapter 26 of Title
11 43 of the Official Code of Georgia Annotated, relating to licensed practical nurses, so as to
12 allow certain military medical personnel to provisionally qualify as a licensed practical nurse;
13 to provide for a definition; to amend Chapter 26 of Title 43 of the Official Code of Georgia
14 Annotated, relating to nurses, so as to provide for licensure of advanced practice registered
15 nurses; to provide for definitions; to provide for licensure requirements; to provide for
16 renewal of licenses; to provide for a misdemeanor to practice advanced nursing practice
17 without a license; to change a provision relating to certain information to be given to the

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18 board by licensees to include certain hospitals; to provide for related matters; to repeal
19 conflicting laws; and for other purposes.

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

21 **PART I**
22 **SECTION 1-1.**

23 Code Section 31-7-12.8 of the Official Code of Georgia Annotated, relating to certification
24 as nursing aide and employer sponsored training and competency examination program, is
25 amended by revising subsection (b) and adding two new subsections to read as follows:

26 "(b) The department shall approve employer based programs sponsored by or offered in
27 assisted living communities, private home care providers, personal care homes, or other
28 long-term care facilities licensed by the department for certified nurse aide training and
29 competency examination programs, ~~in the same manner as such programs are approved in~~
30 ~~nursing homes,~~ as determined by the department. ~~The department shall require all~~
31 ~~employer based programs to meet the requirements set forth in 42 C.F.R. 483.152 and other~~
32 ~~applicable laws and regulations.~~

33 (c) The department, in collaboration with the Department of Veterans Service, shall
34 establish a program through which military medical personnel may provisionally operate
35 within their scope of practice and training for a period of 12 months without meeting the
36 examination requirements provided for in paragraph (2) of subsection (a) of this Code
37 section. During such 12 month period, such individual may apply for certification at the
38 appropriate level.

39 (d) For purposes of this Code section, the term 'military medical personnel' means an
40 individual who has, within 12 months of seeking certification pursuant to this Code section,
41 served as a medic in the United States Army, medical technician in the United States Air

42 Force, or corpsman in the United States Navy or Coast Guard and who was discharged or
43 released from such service under conditions other than dishonorable."

44 **SECTION 1-2.**

45 Article 3 of Chapter 11 of Title 31 of the Official Code of Georgia Annotated, relating to
46 personnel regarding emergency medical services, is amended by revising Code Section
47 31-11-52, relating to certification and recertification of, and training for, paramedics and
48 cardiac technicians and qualifications by felons, as follows:

49 "31-11-52.

50 (a) The department shall establish procedures and standards for certifying and recertifying
51 paramedics and cardiac technicians. An applicant for initial certification as a paramedic
52 or a cardiac technician ~~must~~ shall:

53 (1) Submit a completed application on a form to be prescribed by the department, which
54 shall include evidence that the applicant is 18 years of age or older and is of good moral
55 character;

56 (2) Submit from the department a notarized statement that the applicant has completed
57 a training course approved by the department;

58 (3) Submit to the department a fee as set forth in the regulations of the department; and

59 (4) Meet such other requirements as are set forth in the rules and regulations of the
60 department.

61 (b) The department shall also adopt procedures and standards for its approval of paramedic
62 training courses and cardiac technician training courses. The department shall adopt such
63 regulations after consultation with appropriate public and private agencies and
64 organizations concerned with medical education and the practice of medicine. Procedures
65 and standards adopted by the department shall be consistent with the purposes and
66 provisions of this chapter.

67 (c) An applicant convicted of a felony more than five but less than ten years prior to
68 application shall not be disqualified for certification, provided that such applicant has:

69 (1) Successfully completed a training program approved by the department and
70 sponsored by the Department of Corrections pursuant to Code Section 42-5-57; and

71 (2) Met all other requirements as set forth in this chapter.

72 (d) The department, in collaboration with the Department of Veterans Service, shall
73 establish a program through which military medical personnel may provisionally operate
74 within their scope of practice and training for a period of 12 months without meeting the
75 requirements provided for in paragraphs (2) and (4) of subsection (a) of this Code section.

76 The program established pursuant to this subsection shall not conflict with or supplant
77 Code Section 38-3-71 or Georgia's status as a member of the EMS Interstate Compact.

78 (e) For purposes of this Code section, the term 'military medical personnel' means an
79 individual who has, within 12 months of seeking certification pursuant to this Code section,
80 served as a medic in the United States Army, medical technician in the United States Air
81 Force, or corpsman in the United States Navy or Coast Guard and who was discharged or
82 released from such service under conditions other than dishonorable."

83

SECTION 1-3.

84 Said article is further amended by revising Code Section 31-11-53, relating to services which
85 may be rendered by certified emergency medical technicians and trainees, by adding two new
86 subsections to read as follows:

87 "(c) The department, in collaboration with the Department of Veterans Service, shall
88 establish a program through which military medical personnel may provisionally operate
89 within their scope of practice and training without additional training, experience, or
90 examination for a period of up to 12 months. During such 12 month period, such
91 individual may apply for certification at the appropriate level. The program established

92 pursuant to this subsection shall not conflict with or supplant Code Section 38-3-71 or
93 Georgia's status as a member of the EMS Interstate Compact.

94 (d) For purposes of this Code section, the term 'military medical personnel' means an
95 individual who has, within 12 months of seeking certification pursuant to this Code section,
96 served as a medic in the United States Army, medical technician in the United States Air
97 Force, or corpsman in the United States Navy or Coast Guard and who was discharged or
98 released from such service under conditions other than dishonorable."

99

SECTION 1-4.

100 Article 2 of Chapter 26 of Title 43 of the Official Code of Georgia Annotated, relating to
101 licensed practical nurses, is amended by revising Code Section 43-26-36, relating to
102 application for licensure and examination, by adding two new subsections to read as follows:

103 "(c) Notwithstanding Code Section 43-1-35, or any other provision of law, the board, in
104 collaboration with the Department of Veterans Service, shall establish a program through
105 which military medical personnel may provisionally operate within their scope of practice
106 and training for a period of 12 months without meeting the requirements provided for in
107 paragraphs (3), (5), and (6) of subsection (a) of this Code section.

108 (d) For purposes of this Code section, the term 'military medical personnel' means an
109 individual who has, within 12 months of seeking licensure pursuant to this Code section,
110 served as a medic in the United States Army, medical technician in the United States Air
111 Force, or corpsman in the United States Navy or Coast Guard and who was discharged or
112 released from such service under conditions other than dishonorable."

113

PART II

114

SECTION 2-1.

115 Chapter 26 of Title 43 of the Official Code of Georgia Annotated, relating to nurses, is
116 amended in Code Section 43-26-3, relating to definitions relative to nurses, by revising
117 paragraphs (1) and (1.1) as follows:

118 "(1) 'Advanced nursing practice' means practice in a population focus by a registered
119 professional nurse who is licensed by the board under this article or who holds a
120 multistate license under Article 4 of this chapter who meets those educational, practice,
121 certification requirements, or any combination of such requirements as specified in Code
122 Section 43-26-7.1 and established by the board, and includes certified nurse midwives,
123 certified nurse practitioners, certified registered nurse anesthetists, clinical nurse
124 specialists and clinical nurse specialists in psychiatric/mental health, and others
125 recognized by the board.

126 (1.1) 'Advanced practice registered nurse' means:

127 (A) A person ~~a registered professional nurse~~ who is licensed by the board ~~under this~~
128 ~~article or who holds a multistate license under Article 4 of this chapter, who is~~
129 ~~recognized by the board~~ as having met the requirements as specified in Code Section
130 43-26-7.1 and established by the board to engage in advanced nursing practice, ~~and who~~
131 ~~holds a master's degree or other graduate degree from an approved nursing education~~
132 ~~program and national board certification in his or her area of specialty, within one of~~
133 the following roles: a certified nurse midwife, a certified nurse practitioner, a certified
134 registered nurse anesthetist, or a clinical nurse specialist or clinical nurse specialist in
135 psychiatric/mental health; or

136 (B) A ~~a~~ person who was recognized as an advanced practice registered nurse by the
137 board on or before June 30, 2006.

138 This paragraph shall not be construed to require a certified registered nurse anesthetist
139 who graduated from an approved nurse anesthetist educational program prior to January
140 1, 1999, to hold a master's degree or other graduate degree. Further, this paragraph shall
141 not be construed to require a registered professional nurse who holds a multistate license
142 under Article 4 of this chapter authorizing such nurse to practice in another party state
143 under a multistate licensure privilege to obtain a single-state license from the board as a
144 condition of receiving ~~authorization~~ licensure by the board to practice in this state as an
145 advanced practice registered nurse."

146 **SECTION 2-2.**

147 Said chapter is further amended by adding a new Code section to read as follows:

148 "43-26-7.1.

149 (a) On and after September 1, 2025, any applicant who meets the requirements of this
150 Code section shall be eligible for licensure as an advanced practice registered nurse.

151 (b)(1) Except as otherwise provided in paragraph (2) of this subsection, an applicant for
152 initial licensure to practice as an advanced practice registered nurse shall:

153 (A) Submit a completed written application and fee;

154 (B) Be currently licensed by the board as a registered professional nurse or hold a
155 multistate license under Article 4 of this chapter;

156 (C) Have completed an accredited graduate or postgraduate level advanced practice
157 registered nursing program in one of the four roles specified under subparagraph (A)
158 of paragraph (1.1) of Code Section 43-26-3 and in at least one population focus;

159 (D) Be currently certified by a national certifying body recognized by the board in an
160 advanced practice registered nursing program in a role and population focus appropriate
161 for educational preparation;

162 (E) Have satisfactory results from a fingerprint record check report conducted by the
163 Georgia Crime Information Center and the Federal Bureau of Investigation, as

164 determined by the board. Application for licensure under this subsection shall
165 constitute express consent and authorization for the board to perform a criminal
166 background check. Each applicant who submits an application to the board for
167 licensure agrees to provide the board with any and all information necessary to run a
168 criminal background check, including, but not limited to, classifiable sets of
169 fingerprints. The applicant shall be responsible for all fees associated with the
170 performance of such criminal background check; and

171 (F) Meet such other criteria as established by the board.

172 (2) A person who is authorized by the board to practice as an advanced practice registered
173 nurse as of September 1, 2025, shall by operation of law be automatically licensed to
174 practice as an advanced practice registered nurse on such date.

175 (c) An applicant for reinstatement of licensure who has previously held a valid advanced
176 practice registered nurse license in Georgia or authorization to practice as an advanced
177 practice registered nurse in Georgia prior to September 1, 2025, shall:

178 (1) Submit a completed written application and fee;

179 (2) Meet continuing competency requirements as established by the board;

180 (3) Have satisfactory results from a fingerprint record check report conducted by the
181 Georgia Crime Information Center and the Federal Bureau of Investigation, as
182 determined by the board. Application for reinstatement of licensure under this subsection
183 shall constitute express consent and authorization for the board to perform a criminal
184 background check. Each applicant who submits an application to the board for
185 reinstatement of licensure agrees to provide the board with any and all information
186 necessary to run a criminal background check, including, but not limited to, classifiable
187 sets of fingerprints. The applicant shall be responsible for all fees associated with the
188 performance of such criminal background check; and

189 (4) Meet such other criteria as established by the board."

190 **SECTION 2-3.**

191 Said chapter is further amended by revising Code Section 43-26-9, relating to biennial
192 renewal of nursing licenses, continuing competency requirements, voluntary surrender or
193 failure to renew license, and restoration and reissuance of license, as follows:

194 "43-26-9.

195 (a) Licenses issued under this article shall be renewed biennially according to schedules
196 and fees approved by the board.

197 (b) A renewed license shall be issued to a registered professional nurse, advanced practice
198 registered nurse, or licensed undergraduate nurse who remits the required fee and complies
199 with requirements established by the board.

200 ~~(b.1)~~(c) Beginning with the 2016 license renewal cycle, an applicant for license renewal
201 as a registered professional nurse under this article shall meet one of the following
202 continuing competency requirements during the previous licensure period:

203 (1) Completion of 30 continuing education hours by a board approved provider;

204 (2) Maintenance of certification or recertification by a national certifying body
205 recognized by the board;

206 (3) Completion of an accredited academic program of study in nursing or a related field,
207 as recognized by the board;

208 (4) Verification of competency by a health care facility or entity licensed under
209 Chapter 7 of Title 31 or operated exclusively by the federal government or any of its
210 agencies or by a physician's office that is part of a health system and at least 500 hours
211 practiced as evidenced by employer certification on a form approved by the board; or

212 (5) Other activities as prescribed and approved by the board that show competency in the
213 nursing field.

214 Failure to meet the minimum continuing competency requirement for renewal of a license
215 shall be grounds for denial of a renewal application. The board may waive or modify the
216 requirements contained in this subsection in cases of hardship, disability, or illness or under

217 such other circumstances as the board, in its discretion, deems appropriate. An applicant
 218 who is renewing a license for the first time shall not be required to meet the requirements
 219 of this subsection until the time of the second renewal if the applicant's initial license
 220 period is six months or less.

221 ~~(e)~~(d) The voluntary surrender of a license or the failure to renew a license by the end of
 222 an established penalty period shall have the same effect as a revocation of said license,
 223 subject to reinstatement at the discretion of the board. The board may restore and reissue
 224 a license and, as a condition thereof, may impose any disciplinary sanction provided by
 225 Code Section 43-1-19 or 43-26-11."

226 **SECTION 2-4.**

227 Said chapter is further amended by revising Code Section 43-26-10, relating to practicing as
 228 a registered professional nurse without a license prohibited, as follows:

229 "43-26-10.

230 It shall be a misdemeanor for any person, including any corporation, association, or
 231 individual, to:

232 (1) Practice nursing as a registered professional nurse; or advanced practice registered
 233 nurse without a valid, current license, except as otherwise permitted under Code Section
 234 43-26-12;

235 (2) Practice nursing as a registered professional nurse or advanced practice registered
 236 nurse under cover of any diploma, license, or record illegally or fraudulently obtained,
 237 signed, or issued;

238 (3) Practice nursing as a registered professional nurse or advanced practice registered
 239 nurse during the time the license is suspended, revoked, surrendered, or administratively
 240 revoked for failure to renew;

241 (4) Use any words, abbreviations, figures, letters, title, sign, card, or device implying that
 242 such person is a registered professional nurse or advanced practice registered nurse unless

243 such person is duly licensed or recognized by the board so to practice under the
244 provisions of this article;

245 (5) Fraudulently furnish a license to practice nursing as a registered professional nurse
246 or advanced practice registered nurse;

247 (6) Knowingly employ any person to practice nursing as a registered professional nurse
248 or advanced practice registered nurse who is not a registered professional nurse or
249 advanced practice registered nurse;

250 (7) Conduct a nursing education program preparing persons to practice nursing as
251 registered professional nurses unless the program has been approved by the board; or

252 (8) Knowingly aid or abet any person to violate this article."

253 **SECTION 2-5.**

254 Said chapter is further amendment by revising Code Section 43-26-13, relating to certain
255 information given to the board by licenses, as follows:

256 "43-26-13.

257 (a) A licensee may, in lieu of providing his or her home address, provide the board a
258 legitimate business address for purposes of the public information made available by the
259 board with regard to licensed registered professional nurses.

260 (b) Notwithstanding any other provision of this chapter, any reference to a rural hospital
261 organization in this chapter shall also include any hospital located in any county that
262 satisfies the definition of rural hospital organization in Code Section 31-8-9.1."

263 **PART III**

264 **SECTION 3-1.**

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