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

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

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

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

(1.1) 'Advanced practice registered nurse' means a registered professional nurse who is licensed by the board under this chapter or who holds a multistate license under Article 4 of this chapter, who is recognized by the board as having met the requirements established by the board to engage in advanced nursing practice, and who holds a master's degree in an appropriate field from an accredited graduate program.
degree or other graduate degree from an approved nursing education program and
national board certification in his or her area of specialty, or a person who was recognized
as an advanced practice registered nurse by the board on or before June 30, 2006. This
paragraph shall not be construed to require a certified registered nurse anesthetist who
graduated from an approved nurse anesthetist educational program prior to January 1,
1999, to hold a master's degree or other graduate degree. Further, this paragraph shall not
be construed to require a registered professional nurse who holds a multistate license
under Article 4 of this chapter authorizing such nurse to practice in another party state
under a multistate licensure privilege to obtain a single-state license from the board as a
condition of receiving authorization by the board to practice in this state as an advanced
practice registered nurse."

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

SECTION 2.

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

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

SECTION 3.

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

"(4) 'License' means a current document, issued by the board, permitting a person to
practice practical nursing as a licensed practical nurse. This term shall also include a
multistate license issued by another state in accordance with Article 4 of this chapter
permitting a person to practice practical nursing as a licensed practical nurse in this state
under a multistate licensure privilege."
SECTION 4.
Said title is further amended by revising paragraph (2) of Code Section 43-26-50, relating to definitions relative to mandatory reporting requirements for nurses, as follows:

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

SECTION 5.
Said title is further amended by repealing Code Section 43-26-65, relating to applicability of article to nurses whose states have substantially similar licensure requirements.

SECTION 6.
Said title is further amended in Code Section 43-34-25, relating to delegation of certain medical acts to advanced practice registered nurses, by revising paragraph (10) of subsection (g) as follows:

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

SECTION 7.
Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to general provisions relative to health, is amended by adding a new Code section to read as follows:

"31-1-16. The Board of Community Health shall require health care providers and entities that employ one or more nurses holding a multistate license pursuant to Article 4 of Chapter 26 of Title 43 for 30 days or more in a calendar year to report to such board the name, address, and duration of employment of each such nurse in a form and pursuant to a schedule established by such board. The Board of Community Health shall provide such information to the Georgia Board of Nursing."
SECTION 8.
This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 9.
All laws and parts of laws in conflict with this Act are repealed.