

Senate Bill 242

By: Senator Unterman of the 45th

AS PASSED

A BILL TO BE ENTITLED

AN ACT

1 To amend Code Section 43-34-25 of the Official Code of Georgia Annotated, relating to
 2 delegation of certain medical acts to advanced practice registered nurses, so as to provide an
 3 exception to the number of advanced practice registered nurses with which a delegating
 4 physician can enter into a protocol agreement at any one time for nurses in certain locations
 5 under certain conditions; to provide for related matters; to repeal conflicting laws; and for
 6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 43-34-25 of the Official Code of Georgia Annotated, relating to delegation of
 10 certain medical acts to advanced practice registered nurses, is amended by revising
 11 subsection (g) and by adding new subsections to read as follows:

12 "(g) Except as otherwise provided in subsection (g.1) or (g.2) of this Code section, a
 13 delegating physician may not enter into a nurse protocol agreement pursuant to this Code
 14 section with more than four advanced practice registered nurses at any one time, except this
 15 limitation shall not apply to an advanced practice registered nurse ~~that~~ who is practicing:

16 (1) In a hospital licensed under Title 31;

17 (2) In any college or university as defined in Code Section 20-8-1;

18 (3) In the Department of Public Health;

19 (4) In any county board of health;

20 (4.1) In any community service board;

21 (5) In any free health clinic;

22 (6) In a birthing center;

23 (7) In any entity:

24 (A) Which is exempt from federal taxes pursuant to Section 501(c)(3) of the Internal
 25 Revenue Code, as defined in Code Section 48-1-2, and primarily serves uninsured or
 26 indigent Medicaid and medicare patients; or

27 (B) Which has been established under the authority of or is receiving funds pursuant
 28 to 42 U.S.C. Section 254b or 254c of the United States Public Health Service Act;
 29 (8) In any local board of education which has a school nurse program; or
 30 (9) In a health maintenance organization that has an exclusive contract with a medical
 31 group practice and arranges for the provision of substantially all physician services to
 32 enrollees in health benefits of the health maintenance organization; or
 33 (10) In any emergency medical services system operated by, or on behalf of, any county,
 34 municipality, or hospital authority with a full-time medical director and who does not
 35 order drugs."

36 (g.1) A delegating physician may not enter into a nurse protocol agreement pursuant to this
 37 Code section with more than eight advanced practice registered nurses at any one time,
 38 may not supervise more than four advanced practice registered nurses at any one time
 39 pursuant to nurse protocol agreements, and shall not be required to conduct any meetings,
 40 observations, or review of medical records except as otherwise provided in this subsection,
 41 if the advanced practice registered nurses practice at a location that:

42 (1) Maintains evidence-based clinical practice guidelines;
 43 (2) Is accredited by an accrediting body, approved by the board, such as the Joint
 44 Commission or a nationally recognized accrediting organization with comparable
 45 standards;
 46 (3) Requires the delegating physician to document and maintain a record of review of
 47 at least 10 percent of the advanced practice registered nurses' medical records to monitor
 48 quality of care being provided to patients, which may be conducted electronically or
 49 onsite;
 50 (4) Requires the delegating physician and advanced practice registered nurse to
 51 participate in and maintain documentation of quarterly clinical collaboration meetings,
 52 either by telephone, in person, or onsite, for purposes of monitoring care being provided
 53 to patients; and
 54 (5) Requires the delegating physician's name, contact information, and record of the visit
 55 to be provided to the patient's primary care provider of choice with the patient's consent
 56 within 24 hours of the visit.

57 (g.2) A delegating physician may not enter into a nurse protocol agreement pursuant to this
 58 Code section with more than eight advanced practice registered nurses at any one time or
 59 supervise more than four advanced practice registered nurses at any one time in any
 60 emergency medical services system operated by, or on behalf of, any county, municipality,
 61 or hospital authority with a full-time medical director."

62

SECTION 2.

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