

2020 Regular Session

HOUSE BILL NO. 864

BY REPRESENTATIVE IVEY

NURSES: Provides relative to advanced practice registered nursing

1 AN ACT
2 To amend and reenact R.S. 37:913(3)(a)(vii) and (ix), (8), and (9)(introductory paragraph)
3 and to enact R.S. 37:936 and Part VI of Chapter 11 of Title 37 of the Louisiana
4 Revised Statutes of 1950, to be comprised of R.S. 37:1020.11, relative to advanced
5 practice registered nursing; to provide relative to collaborative practice agreement
6 requirements for advanced practice registered nurses; to establish an exemption to
7 such requirements for certain nurses; to provide for qualifications for the exemption;
8 to provide for certification and grounds for revocation of the exemption; to authorize
9 advanced practice registered nurses to furnish signatures and other types of
10 endorsements required of physicians in certain instances; to provide conditions upon
11 which such signature authority is contingent; to provide for duties and powers of the
12 Louisiana State Board of Nursing; to provide for definitions; to provide for
13 administrative rulemaking; and to provide for related matters.

14 Be it enacted by the Legislature of Louisiana:

15 Section 1. R.S. 37:913(3)(a)(vii) and (ix), (8), and (9)(introductory paragraph) are
16 hereby amended and reenacted and R.S. 37:936 and Part VI of Chapter 11 of Title 37 of the
17 Louisiana Revised Statutes of 1950, comprised of R.S. 37:1020.11, are hereby enacted to
18 read as follows:

1 §913. Definitions

2 As used in this Part:

3 * * *

4 (3)(a) "Advanced practice registered nursing" means nursing by a certified
5 registered nurse anesthetist, certified nurse midwife, clinical nurse specialist, or
6 nurse practitioner which is based on knowledge and skills acquired in a basic nursing
7 education program, licensure as a registered nurse, and a minimum of a master's
8 degree with a concentration in the respective advanced practice nursing specialty
9 which includes both didactic and clinical components, advanced knowledge in
10 nursing theory, physical and psychosocial assessment, nursing interventions, and
11 management of health care. Advanced practice registered nursing includes:

12 * * *

13 (vii) Analyzing multiple sources of data and identifying and performing
14 certain acts of medical diagnosis in accordance with ~~the~~ a collaborative practice
15 agreement, unless the advanced practice registered nurse is exempted from the
16 requirement to enter into a collaborative practice agreement by the provisions of R.S.
17 37:1020.11.

18 * * *

19 (ix) Consulting with or referring patients to licensed physicians, dentists, and
20 other ~~health care~~ healthcare providers in accordance with a collaborative practice
21 agreement, unless the advanced practice registered nurse is exempted from the
22 requirement to enter into a collaborative practice agreement by the provisions of R.S.
23 37:1020.11.

24 * * *

25 (8) "Collaborative practice" means the joint management of the health care
26 of a patient by an advanced practice registered nurse who is not exempted from the
27 requirement to enter into a collaborative practice agreement pursuant to R.S.
28 37:1020.11 and is performing advanced practice registered nursing and one or more
29 consulting physicians or dentists. Except as otherwise provided in R.S. 37:930 and

1 (2) Has experience as recognized by the board to be no less than two hundred
2 fifty hours in collaborative practice.

3 (3) Has successfully completed academic coursework in physical
4 assessment, advanced pharmacology, and advanced pathophysiology.

5 C.(1) The board shall have the exclusive and final authority to determine
6 whether a nurse practitioner, clinical nurse specialist, or certified nurse midwife has
7 met the qualifications required by Subsection B of this Section.

8 (2) Upon application of a nurse practitioner, clinical nurse specialist, or
9 certified nurse midwife, if the board determines that all qualifications required by
10 Subsection B of this Section have been met, the nurse practitioner, clinical nurse
11 specialist, or certified nurse midwife shall not be required to enter into a
12 collaborative practice agreement in order to perform advanced practice registered
13 nursing.

14 (3)(a) The board shall issue to each nurse practitioner, clinical nurse
15 specialist, and certified nurse midwife it deems to be qualified for the exemption
16 provided for in this Section a certificate which bears all of the following:

17 (i) The name of the applicant.

18 (ii) The date of approval for the exemption.

19 (iii) A statement of reliance verifying the exemption.

20 (iv) The signature of a designee of the board, under the seal of the board.

21 (b) Each certificate issued in accordance with the provisions of this
22 Paragraph shall be admissible as evidence in all state courts as verification of the
23 exemption provided for in this Section without the necessity of a personal court
24 appearance by any member of the board.

25 D. The board may revoke an exemption granted pursuant to this Section at
26 any time if it determines that an advanced practice registered nurse no longer meets
27 the qualifications required by this Section.

1 E. The board shall promulgate all rules in accordance with the
 2 Administrative Procedure Act as are necessary to implement the provisions of this
 3 Part.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 864 Original

2020 Regular Session

Ivey

Abstract: Provides for full practice authority for nurse practitioners, clinical nurse specialists, and certified nurse midwives and certain signing authority for all advanced practice registered nurses.

Proposed law provides that if a provision of present law or present administrative rule requires a signature, certification, stamp, verification, affidavit, or endorsement by a physician, the requirement may be fulfilled by an advanced practice registered nurse practicing within his scope of practice unless prohibited by the rules of the La. State Board of Nursing (referred to hereafter as the "board") or the terms of a collaborative practice agreement to which the nurse is a party.

Proposed law stipulates that nothing therein shall be construed to expand the scope of practice of an advanced practice registered nurse.

Proposed law provides that nurse practitioners, clinical nurse specialists, and certified nurse midwives (all advanced practice registered nurses) who meet all of the following qualifications shall be exempt from any requirement set forth in present law to enter into a collaborative practice agreement in order to perform advanced practice registered nursing:

- (1) Currently holds unencumbered, unrestricted, and valid registered nurse and advanced practice registered nurse licenses in La. and is not subject to disciplinary proceedings for any of the grounds provided in present law.
- (2) Has experience as recognized by the board to be no less than 250 hours in collaborative practice.
- (3) Has successfully completed academic coursework in physical assessment, advanced pharmacology, and advanced pathophysiology.

Proposed law provides that the board shall have the exclusive and final authority to determine whether a nurse practitioner, clinical nurse specialist, or certified nurse midwife has met the qualifications above.

Proposed law stipulates that upon application of a nurse practitioner, clinical nurse specialist, or certified nurse midwife, if the board determines that all qualifications required by proposed law have been met, that nurse shall not be required to enter into a collaborative practice agreement in order to perform advanced practice registered nursing.

Proposed law authorizes the board to revoke an exemption from collaborative practice requirements granted pursuant thereto at any time if it determines that an advanced practice registered nurse no longer meets the qualifications required by proposed law.

Proposed law revises definitions provided in present law as necessary for conformity with proposed law.

(Amends R.S. 37:913(3)(a)(vii) and (ix), (8), and (9)(intro. para.); Adds R.S. 37:936 and 1020.11)