

Senate Bill 82

By: Senators Thomas of the 10th, Cable of the 27th, Gillis of the 20th, Starr of the 44th,
Jackson of the 50th and others

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to insurance, so as to enact the "Registered Nurse
3 First Assistant Consumer Act"; to provide for legislative intent; to provide for definitions;
4 to provide for reimbursement by insurers to registered nurse first assistants who perform
5 surgical first assistant services; to provide for related matters; to repeal conflicting laws;
6 and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to
10 general provisions relative to insurance, is amended by adding at the end thereof a new
11 Code Section 33-24-59.9 to read as follows:

12 "33-24-59.9.

13 (a) This Code section shall be known and may be cited as the 'Registered Nurse First
14 Assistant Consumer Act.'

15 (b) It is the intent of the General Assembly to:

16 (1) Encourage the continued use of registered nurse first assistants who meet the
17 qualifications of this Code section as 'assistants at surgery' by physicians and surgical
18 facilities to provide quality, cost-effective surgical intervention to health care
19 recipients in the state; and

20 (2) Establish policies within managed health care agencies, workers' compensation
21 carriers, and all private insurance companies to provide for adequate and justifiable
22 reimbursement for the registered nurse first assistant for services rendered.

23 (c) As used in this Code section, the term:

24 (1) 'Health benefit policy' means any individual or group plan, policy, or contract for
25 health care services issued, delivered, issued for delivery, or renewed in this state,
26 including, but not limited to, those policies, plans, or contracts executed by the State

1 of Georgia on behalf of state employees under Article 1 of Chapter 18 of Title 45, by a
2 health care corporation, health maintenance organization, preferred provider
3 organization, accident and sickness insurer, fraternal benefit society, hospital service
4 corporation, medical service corporation, workers' compensation insurance carrier in
5 accordance with Chapter 9 of Title 34, or other insurer or similar entity.

6 (2) 'Insurer' means an accident and sickness insurer, fraternal benefit society, hospital
7 service corporation, workers' compensation insurance carrier, medical service
8 corporation, health care corporation, health maintenance organization, managed care
9 plan other than a dental plan, or any similar entity authorized to issue contracts under
10 this title, but shall exclude any state program funded under Title XIX of the federal
11 Social Security Act, 42 U.S.C.A. Section 1396 et seq., and any other publicly funded
12 state health care program.

13 (3) 'Perioperative nursing' means a practice of registered professional nursing in
14 which the registered nurse provides preoperative, intraoperative, and postoperative
15 nursing care to surgical patients.

16 (4) 'Recognized educational curriculum program' means a program that:

17 (A) Addresses all content of the Association of periOperative Registered Nurses,
18 Inc., Core Curriculum for the Registered Nurse First Assistant and the Certification
19 Board of Perioperative Nurses; and

20 (B) Includes indicated didactic and clinical internship as required by the curriculum.

21 (5) 'Registered nurse first assistant' means a person who:

22 (A)(i) Is licensed as a professional registered nurse in the State of Georgia;

23 (ii) Is certified in perioperative nursing; and

24 (iii) Has successfully completed a registered nurse first assistant education
25 program that meets the Association of periOperative Registered Nurses, Inc.'s
26 education standard for the registered nurse first assistant; or

27 (B) Was holding the title of and practicing as a registered nurse first assistant as of
28 January 1, 1993.

29 (d) Notwithstanding any provisions in policies or contracts which might be construed
30 to the contrary, whenever any health benefit policy which is issued, executed, or
31 renewed in this state on or after July 1, 2001, provides that any of its benefits are
32 payable to a surgical first assistant for services rendered, the insurer shall be required to
33 directly reimburse any registered nurse first assistant who has rendered such services at
34 the request of a physician and within the scope of a registered nurse first assistant's
35 professional license. This Code section shall not apply to a registered nurse first
36 assistant who is employed by the requesting physician."

1

SECTION 2.

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