

House Bill 355 (COMMITTEE SUBSTITUTE) (AM)

By: Representatives Orrock of the 56th, Harbin of the 113th, Graves of the 125th, Smith of the 169th, Powell of the 23rd and others

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 First
3 Assistant Consumer Act"; to provide for legislative intent; to provide for definitions; to
4 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; and
6 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 Code
11 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 recipients
19 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 of
27 Georgia on behalf of state employees under Article 1 of Chapter 18 of Title 45, by a

1 health care corporation, health maintenance organization, preferred provider organization,
 2 accident and sickness insurer, fraternal benefit society, hospital service corporation,
 3 medical service corporation, workers' compensation insurance carrier in accordance with
 4 Chapter 9 of Title 34, or other insurer or similar entity.

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

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

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

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

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

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

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

22 (ii) Is certified in perioperative nursing; and

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

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

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

1

SECTION 2.

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