

**WITHDRAWN**

1 Senator Thomas of the 10th offered the following amendment:

2 Amend the Senate floor substitute to SB 23, such substitute bill being designated  
3 LC 30 0663S, by striking line 10 of page 1 and inserting in its place the following:

4 "persons in civil actions; to provide for severability; to amend Chapter 26 of Title 43 of the  
5 Official Code of Georgia Annotated, relating to nurses, so as to provide additional authority  
6 to advanced practice registered nurses to carry out prescriptive orders; to provide for a  
7 short title; to provide for legislative intent and findings and definitions; to provide for  
8 prescription drug and device orders and forms, conditions, and procedures relating thereto;  
9 to provide for application for certain registration numbers; to provide for liability and  
10 immunity therefrom; to provide for duties and powers of the Georgia Board of Nursing; to  
11 provide for disciplinary actions; to provide for continuing rights of certain nurses; to  
12 provide for related matters; to make conforming amendments to".

13 By inserting between lines 8 and 9 on page 8 the following:

14 "Chapter 26 of Title 43 of the Official Code of Georgia Annotated, relating to nurses, is  
15 amended by adding at the end thereof a new Article 3 to read as follows:

16 'ARTICLE 3

17 43-26-50.

18 This article shall be known and may be cited as the "Maternity Health Access Improvement  
19 Act."

20 43-26-51.

21 It is the intent of the General Assembly to facilitate the availability of quality health care  
22 for the citizens of this state. Health care is important to all persons, but it is a special  
23 concern for maternity patients. The General Assembly finds that the advanced practice  
24 registered nurse is effective in increasing access to quality and affordable health care in a  
25 variety of ways to this population. The General Assembly further finds that granting  
26 additional authority to the advanced practice registered nurse is appropriate in order to  
27 ensure the delivery of health care services in all areas of the state through the full  
28 utilization of the skills and training of the advanced practice registered nurse.

29 43-26-52.

30 As used in this article, the term:

1 (1) "Advanced practice registered nurse" or "A.P.R.N." means a registered professional  
 2 nurse licensed under Article 1 of Chapter 26 of this title and authorized by the Board of  
 3 Nursing to practice as a certified nurse midwife or a nurse practitioner providing  
 4 obstetrical and gynecological care. The advanced practice registered nurse shall wear the  
 5 title "advanced practice registered nurse" or the abbreviation "A.P.R.N." on a name tag  
 6 or similar form of identification when providing direct patient care.

7 (2) "Board" means the Georgia Board of Nursing created under Code Section 43-26-4.

8 (3) "Contact hour" means 50 minutes of participation in an educational activity. Ten  
 9 contact hours equals one continuing education unit.

10 (4) "Controlled substance" means any controlled substance as defined in Article 2 of  
 11 Chapter 13 of Title 16.

12 (5) "Dangerous drug" means any dangerous drug as defined in Article 3 of Chapter 13  
 13 of Title 16.

14 (6) "Execute a prescription drug or device order" means to write or verbally transmit a  
 15 prescription drug or device order.

16 43-26-53.

17 (a)(1) An advanced practice registered nurse may execute a prescription drug or device  
 18 order for any device as defined in Code Section 26-4-5, any dangerous drug as defined  
 19 in Code Section 16-13-71, or any Schedule II, III, IV, or V controlled substance as  
 20 defined in Code Section 16-13-21 on a prescription drug order or device order form as  
 21 specified in paragraph (2) of this subsection. Such authority shall be exercised only  
 22 within the scope of practice of the advanced practice registered nurse as a certified nurse  
 23 midwife or while providing obstetrical or gynecological care.

24 (2) The prescription drug or device order form shall include the name, address, and  
 25 telephone number of the advanced practice registered nurse or nurses, the patient's name  
 26 and address, the drug or device ordered, the number of refills, and directions to the patient  
 27 with regard to the taking and dosage of the drug. Such form shall be signed by the  
 28 advanced practice registered nurse using the following language: "This prescription drug  
 29 or device order is executed by \_\_\_\_\_, A.P.R.N."

30 (b) A copy of the prescription drug or device order or a record of such order shall be  
 31 maintained in the patient's medical file.

32  
 33 43-26-54.

34 (a) An advanced practice registered nurse:

35 (1) Shall not authorize the execution of a drug order for any Schedule I controlled  
 36 substance;

1 (2) Shall authorize no more than a 30 day supply of any drug, except in cases of chronic  
2 illness in which case a 90 day supply may be authorized; and

3 (3) Shall authorize refills for not more than six months from the date of the original  
4 order, except that such refills for not more than 12 months may be authorized for oral  
5 contraceptives, hormone replacement therapy, and prenatal vitamins.

6 (b)(1) An advanced practice registered nurse shall submit to the board an application that  
7 documents that the advanced practice registered nurse:

8 (A) Holds a current and unrestricted license as a registered professional nurse in this  
9 state;

10 (B) Has current authorization to practice as an advanced practice registered nurse;

11 (C) Has at least a master's degree, except such degree requirements shall not be a  
12 condition for an advanced practice registered nurse who is certified or otherwise meets  
13 board requirements to practice as an advanced practice registered nurse on July 1, 2000;  
14 and

15 (D) Has completed:

16 (i) Graduate level pharmacology course work; or

17 (ii) Thirty contract hours in pharmacology within the previous four years.

18 (2) Upon the satisfactory review of such an application from an advanced practice  
19 registered nurse, the board shall cause:

20 (A) The license of the advanced practice registered nurse to be marked in a manner  
21 indicating that the advanced practice registered nurse has met the requirements; and

22 (B) The name of the advanced practice registered nurse authorized to be placed on a  
23 registry created and maintained by the board for the purpose of making such names  
24 available to the public.

25 (c) In order to maintain the right of prescriptive authority, an advanced practice registered  
26 nurse shall:

27 (1) Obtain a minimum of five contact hours of continuing education in pharmacology or  
28 pharmacology management approved by a national professional accrediting organization  
29 each year;

30 (2) Notify the patient verbally, post a notice in the office, or both, that the advanced  
31 practice registered nurse is not a licensed physician; and

32 (3) Comply with this article and the applicable laws and regulations pertaining to the  
33 authority granted under this article.

34 (d) An advanced practice registered nurse shall be required to apply for a federal Drug  
35 Enforcement Agency (DEA) registration number and, if obtained, upon receipt of such  
36 registration, shall file that number with the board.

1 43-26-55.

2 Nothing in this article shall be construed to create a presumption of liability, either civil or  
3 criminal, on the part of a pharmacist duly licensed under Chapter 4 of Title 26 and who,  
4 in good faith, fills a prescription drug order of an advanced practice registered nurse.

5 43-26-56.

6 The practice of any advanced practice registered nurse utilizing prescriptive authority  
7 conforming to this article shall be governed by the board, which is authorized to  
8 promulgate rules and regulations regulating such an advanced practice registered nurse.

9 In addition to and not in limitation of any other powers granted to the board under Code  
10 Section 43-26-5, the board shall subject the advanced practice registered nurse to  
11 appropriate disciplinary action, including, but not limited to, the sanctions expressed in  
12 Code Section 43-26-11 and the revocation of prescriptive authority, if such advanced  
13 practice registered nurse:

14 (1) Violates any provision of this article, the rules and regulations of the board, the rules  
15 and regulations of the State Board of Pharmacy regarding prescribing of drugs, or any  
16 combination thereof;

17 (2) Violates any state or federal law or regulation applicable to prescribing of drugs; or

18 (3) Fails to follow any conditions imposed by law or regulation in relation to the exercise  
19 of authority granted under this article.

20

21 43-26-57.

22 Nothing in this article shall be construed to restrict the right of a registered professional  
23 nurse to practice pursuant to Code Section 43-34-26.1.'

24

#### **SECTION 9."**

25 By redesignating Section 9 as Section 10.