

House Bill 610

By: Representatives Cooper of the 41st and Houston of the 170th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 26 of Title 43 of the Official Code of Georgia Annotated, relating to
2 nurses, so as to revise the requirements for nursing education programs required for licensure
3 as an advanced practice registered nurse, registered professional nurse, or licensed practical
4 nurse; to revise definitions; to provide for related matters; to repeal conflicting laws; and for
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 26 of Title 43 of the Official Code of Georgia Annotated, relating to nurses, is
9 amended by revising paragraph (1.1) of Code Section 43-26-3, relating to definitions relative
10 to registered professional nurses, and adding a new paragraph as follows:

11 "(1.1) 'Advanced practice registered nurse' means a registered professional nurse licensed
12 under this chapter who is recognized by the board as having met the requirements
13 established by the board to engage in advanced nursing practice and who holds a master's
14 degree or other graduate degree ~~approved by the board~~ from an approved nursing
15 education program and national board certification in his or her area of specialty, or a
16 person who was recognized as an advanced practice registered nurse by the board on or
17 before June 30, 2006. This paragraph shall not be construed to require a certified
18 registered nurse anesthetist who graduated from an approved nurse anesthetist
19 educational program prior to January 1, 1999, to hold a master's degree or other graduate
20 degree.

21 (1.2) 'Approved nursing education program' located in this state means a nursing
22 education program approved by the board as meeting criteria established by the board.
23 An 'approved nursing education program' located outside this state means a nursing
24 education program that the board has determined to meet criteria similar to and not less
25 stringent than criteria established by the board. In order to be approved by the board, a
26 nursing education program must be one that is offered by:

- 27 (A) A unit of the University System of Georgia accredited by the Commission on
 28 Colleges of the Southern Association of Colleges and Schools;
 29 (B) An institution of the Technical College System of Georgia accredited by the
 30 Commission on Colleges of the Southern Association of Colleges and Schools;
 31 (C) A nonprofit postsecondary institution of higher education in Georgia that is
 32 accredited by the Commission on Colleges of the Southern Association of Colleges and
 33 Schools;
 34 (D) A proprietary institution of higher education in Georgia that is accredited by the
 35 Commission on Colleges of the Southern Association of Colleges and Schools;
 36 (E) A nonprofit postsecondary institution of higher education outside of Georgia that
 37 is accredited by a regional accrediting agency recognized by the United States
 38 Department of Education; or
 39 (F) A proprietary institution of higher education outside of Georgia that is accredited
 40 by a regional accrediting agency recognized by the United States Department of
 41 Education."

42 **SECTION 2.**

43 Said chapter is further amended by revising subsections (b), (c), and (d) of Code
 44 Section 43-26-7, relating to requirements for licensure as registered professional nurse, as
 45 follows:

46 "(b) An applicant for licensure by examination shall:

- 47 (1) Submit a completed written application and fee;
- 48 (2) Have graduated from ~~a nursing education program approved by the board or which~~
 49 ~~meets criteria similar to, and not less stringent than, those established by the board~~ an
 50 approved nursing education program, as defined in Code Section 43-26-3;
- 51 (3) Pass a board recognized licensing examination; provided, however, that such
 52 examination may not be taken prior to graduation from the approved nursing education
 53 program;
- 54 (4) Have satisfactory results from a fingerprint record check report conducted by the
 55 Georgia Crime Information Center and the Federal Bureau of Investigation, as
 56 determined by the board. Application for a license under this Code section shall
 57 constitute express consent and authorization for the board or its representative to perform
 58 a criminal background check. Each applicant who submits an application to the board
 59 for licensure by examination agrees to provide the board with any and all information
 60 necessary to run a criminal background check, including, but not limited to, classifiable
 61 sets of fingerprints. The applicant shall be responsible for all fees associated with the
 62 performance of such background check; and

- 63 (5) Meet such other criteria as established by the board.
- 64 (c) An applicant for licensure by endorsement shall:
- 65 (1) Submit a completed written application and fee;
- 66 (2) Have passed a board recognized licensing examination following graduation from a
- 67 ~~nursing education program approved by the board or which meets criteria similar to, and~~
- 68 ~~not less stringent than, those established by the board~~ an approved nursing education
- 69 program, as defined in Code Section 43-26-3;
- 70 (3) Submit verification of initial and current licensure in any other licensing jurisdiction
- 71 administering a board recognized licensing examination;
- 72 (4) Have practiced nursing as a registered professional nurse for a period of time as
- 73 determined by the board or have graduated from a an approved nursing education
- 74 program within the four years immediately preceding the date of the application;
- 75 (5) Have satisfactory results from a fingerprint record check report conducted by the
- 76 Georgia Crime Information Center and the Federal Bureau of Investigation, as
- 77 determined by the board. Application for a license under this Code section shall
- 78 constitute express consent and authorization for the board or its representative to perform
- 79 a criminal background check. Each applicant who submits an application to the board
- 80 for licensure by examination agrees to provide the board with any and all information
- 81 necessary to run a criminal background check, including, but not limited to, classifiable
- 82 sets of fingerprints. The applicant shall be responsible for all fees associated with the
- 83 performance of such background check; and
- 84 (6) Meet such other criteria as established by the board.
- 85 (d) An applicant for reinstatement who has previously held a valid license in Georgia shall:
- 86 (1) Submit a completed written application and fee;
- 87 (2) Have practiced nursing as a registered professional nurse for a period of time as
- 88 determined by the board or have graduated from a ~~nursing education program approved~~
- 89 ~~by the board or which meets criteria similar to, and not less stringent than, those~~
- 90 ~~established by the board~~ an approved nursing education program, as defined in Code
- 91 Section 43-26-3, within the four years immediately preceding the date of the application;
- 92 (3) Have satisfactory results from a fingerprint record check report conducted by the
- 93 Georgia Crime Information Center and the Federal Bureau of Investigation, as
- 94 determined by the board. Application for a license under this Code section shall
- 95 constitute express consent and authorization for the board or its representative to perform
- 96 a criminal background check. Each applicant who submits an application to the board
- 97 for licensure by examination agrees to provide the board with any and all information
- 98 necessary to run a criminal background check, including, but not limited to, classifiable

99 sets of fingerprints. The applicant shall be responsible for all fees associated with the
 100 performance of such background check; and
 101 (4) Meet such other criteria as established by the board."

102 **SECTION 3.**

103 Said chapter is further amended by revising Code Section 43-26-32, relating to definitions
 104 relative to licensed practiced nurses, by adding a new paragraph to read as follows:

105 "(1.1) 'Approved nursing education program' located in this state means a nursing
 106 education program approved by the board as meeting criteria established by the board. An
 107 'approved nursing education program' located outside this state means a nursing education
 108 program that the board has determined to meet criteria similar to and not less stringent than
 109 criteria established by the board. In order to be approved by the board, a nursing education
 110 program must be one that is offered by:

111 (A) A unit of the University System of Georgia accredited by the Commission on
 112 Colleges of the Southern Association of Colleges and Schools;

113 (B) An institution of the Technical College System of Georgia accredited by the
 114 Commission on Colleges of the Southern Association of Colleges and Schools;

115 (C) A nonprofit postsecondary institution of higher education in Georgia that is
 116 accredited by the Commission on Colleges of the Southern Association of Colleges and
 117 Schools;

118 (D) A proprietary institution of higher education in Georgia that is accredited by the
 119 Commission on Colleges of the Southern Association of Colleges and Schools;

120 (E) A nonprofit postsecondary institution of higher education outside of Georgia that
 121 is accredited by a regional accrediting agency recognized by the United States
 122 Department of Education; or

123 (F) A proprietary institution of higher education outside of Georgia that is accredited
 124 by a regional accrediting agency recognized by the United States Department of
 125 Education."

126 **SECTION 4.**

127 Said chapter is further amended by revising subparagraph (a)(1)(C) of Code
 128 Section 43-26-36, relating to application for licensure as a licensed practical nurse, as
 129 follows:

130 "(C) Has graduated from a nursing education program approved by this board or which
 131 meets criteria similar to, and not less stringent than, those established by this board an
 132 approved nursing education program, as defined in Code Section 43-26-32;".

133

SECTION 5.

134 Said chapter is further amended by revising subsections (a) and (b) of Code
135 Section 43-26-38, relating to license by endorsement, as follows:

136 "(a) The board, at its discretion, may issue a license to practice as a licensed practical
137 nurse, without examination, to any person who has a high school diploma or general
138 educational development (GED) diploma and has been duly licensed or registered as a
139 practical or vocational nurse or who is entitled to perform similar service under a different
140 designation under the laws of another state or territory of the United States if the license
141 or registration in that other state or territory is current and in good standing and was issued
142 based upon completion of an approved ~~program~~ nursing education program, as defined in
143 Code Section 43-26-32, and passage of an examination, which ~~program and~~ examination
144 ~~have~~ has been determined by the board to be substantially equal to or greater than the
145 requirements for licensure as a licensed practical nurse in this state and if such person has
146 engaged in the active practice of practical nursing as a licensed practical nurse within five
147 years immediately preceding the application; provided, however, that the requirement for
148 active practice shall not apply to an applicant who has graduated from an approved nursing
149 education program within one year of the date of application or who was initially licensed
150 within one year of the date of application.

151 (b) The board, at its discretion, may issue a license to practice as a licensed practical nurse,
152 with examination, to any person who has a high school diploma or general educational
153 development (GED) diploma and has been duly licensed or registered as a practical or
154 vocational nurse or who is entitled to perform similar service under a different designation
155 under the laws of another state or territory of the United States if the license or registration
156 in that other state or territory is current and in good standing and was issued based upon
157 completion of an approved ~~program~~ nursing education program, as defined in Code
158 Section 43-26-32, ~~substantially equal to or greater than the requirements of such programs~~
159 ~~in this state~~, except however, such applicant has not been duly examined according to the
160 prescribed examination approved by this board and if such person has engaged in active
161 practice of practical nursing as a licensed practical nurse within five years immediately
162 preceding the application."

163

SECTION 6.

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