

The House Committee on Health and Human Services offers the following substitute to SB 244:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 43-26-3 of the Official Code of Georgia Annotated, relating to
2 definitions relative to the "Georgia Registered Professional Nurse Practice Act," so as to
3 provide that the performance of health maintenance activities by a designated caregiver shall
4 not be prohibited; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 43-26-3 of the Official Code of Georgia Annotated, relating to definitions
9 relative to the "Georgia Registered Professional Nurse Practice Act," is amended by revising
10 paragraph (8) as follows:

11 "(8) 'Practice nursing as a registered professional nurse' means to practice nursing by
12 performing for compensation any of the following:

- 13 (A) Assessing the health status of individuals, groups, or both throughout the life span;
- 14 (B) Establishing a nursing diagnosis;
- 15 (C) Establishing nursing goals to meet identified health care needs;
- 16 (D) Planning, implementing, and evaluating nursing care;
- 17 (E) Providing for safe and effective nursing care rendered directly or indirectly;
- 18 (F) Managing and supervising the practice of nursing;
- 19 (G) Collaborating with other members of the health care team in the management of
20 care;
- 21 (H) Teaching the theory and practice of nursing;
- 22 (I) Administering, ordering, and dispensing medications, diagnostic studies, and
23 medical treatments authorized by protocol, when such acts are authorized by other
24 general laws and such acts are in conformity with those laws;
- 25 (J) Administering medications and treatments as prescribed by a physician practicing
26 medicine in accordance with Article 2 of Chapter 34 of this title, a dentist practicing

27 dentistry in accordance with Chapter 11 of this title, or a podiatrist practicing podiatry
28 in accordance with Chapter 35 of this title; or

29 (K) Performing any other nursing act in the care and counsel of the ill, injured, or
30 infirm, and in the promotion and maintenance of health with individuals, groups, or
31 both throughout the life span.

32 This paragraph shall not prohibit the performance of health maintenance activities by a
33 designated caregiver for an individual at the direction of such individual or his or her
34 agent so long as the caregiver is a family member or other person not receiving
35 compensation for providing the health maintenance activities and meets minimum
36 standards as determined by the Division of Mental Health, Developmental Disabilities,
37 and Addictive Diseases of the Department of Human Resources. For purposes of this
38 paragraph, 'health maintenance activities' means those activities which enable an
39 individual with disabilities to live as independently as possible in a home and community
40 of his or her choice and include those specialized procedures, beyond activities of daily
41 living, which the individual would perform himself or herself if he or she were able and
42 which the attending physician or registered professional determines can be safely
43 performed in the home and community by a designated caregiver as directed by the
44 individual or his or her agent."

45 **SECTION 2.**

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