A BILL TO BE ENTITLED
AN ACT

To amend Code Section 43-26-3 of the Official Code of Georgia Annotated, relating to definitions relative to the "Georgia Registered Professional Nurse Practice Act," so as to revise a definition; to amend Chapter 26 of Title 43 of the Official Code of Georgia Annotated, relating to nurses, so as to prohibit the use of the title "nurse" unless licensed as a registered professional nurse or a licensed practical nurse; to revise requirements for certain applicants as a registered professional nurse; to revise requirements relating to nontraditional nursing education programs; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 43-26-3 of the Official Code of Georgia Annotated, relating to definitions relative to the "Georgia Registered Professional Nurse Practice Act," is amended by revising paragraph (1.2) as follows:

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

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

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

(C) A nonprofit postsecondary institution of higher education that is accredited by a regional accrediting agency recognized by the United States Department of Education;
(D) A proprietary institution of higher education that is accredited by a regional accrediting agency recognized by the United States Department of Education; or

(E) A nonprofit postsecondary institution of higher education that is a four-year institution that is not accredited in accordance with subparagraph (C) of this paragraph, but whose curriculum has been determined by the board to meet criteria similar to and not less stringent than criteria established by the board for other approved nursing education programs.

SECTION 1A.

Chapter 26 of Title 43 of the Official Code of Georgia Annotated, relating to nurses, is amended in Code Section 43-26-6, relating to the use of certain titles by licensed registered nurses or advanced practice registered nurses, by adding a new subsection to read as follows:

“(d) No person shall use the title 'nurse' or any other title or abbreviation that would represent to the public that a person is authorized to practice nursing unless the person is licensed or otherwise authorized under this article or Article 2 of this chapter.”

SECTION 1B.

Said chapter is further amended in Code Section 43-26-33, relating to the use of certain titles by licensed practical nurses or applicants, by adding a new subsection to read as follows:

“(c) No person shall use the title 'nurse' or any other title or abbreviation that would represent to the public that a person is authorized to practice nursing unless the person is licensed or otherwise authorized under this article or Article 1 of this chapter.”

SECTION 1C.

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

“(b) An applicant for licensure by examination shall:

(1) Submit a completed written application and fee;

(2)(A) Have graduated from an approved nursing education program, as defined in Code Section 43-26-3; or

(B)(i) Notwithstanding subparagraph (A) of this paragraph, have graduated from a nontraditional nursing education program approved by the board which meets the requirements in subsection (e) of this Code section; and

(ii)(I) If the applicant entered the nontraditional nursing education program as a licensed practical nurse and had an academic education as a licensed practical nurse that included clinical training in pediatrics, obstetrics and gynecology,
medical-surgical, and mental illness, have with at least three two years of clinical experience in the five years preceding the date of the application in a health care facility an acute care inpatient facility or a long-term acute care facility as a licensed practical nurse, as approved by the board. Such clinical experience shall be verified in writing by the applicant's immediate supervisor that the applicant has the critical thinking abilities, clinical skills, and leadership abilities necessary to practice as a registered professional nurse in an acute care inpatient facility or a long-term acute care facility whose academic education as a licensed practical nurse included clinical training in pediatrics, obstetrics and gynecology, medical-surgical, and mental illness, have completed a 350 hour postgraduate preceptorship arranged by the applicant under the oversight of a registered professional nurse where such applicant is transitioned from the role of a licensed practical nurse to a registered professional nurse. The preceptorship shall have prior approval of the board and successful completion of the preceptorship shall be verified in writing by the preceptor; or

(II) If the applicant entered the nontraditional nursing education program as a licensed practical nurse, had an academic education as a licensed practical nurse that included clinical training in pediatrics, obstetrics and gynecology, medical-surgical, and mental illness, and has at least two years of experience as a licensed practical nurse in any setting, although such experience shall be exclusive of night duty in a skilled nursing facility, but less than two years of experience in the five years preceding the date of the application in an acute care inpatient facility or a long-term acute care facility, as approved by the board, have completed a 320 hour postgraduate preceptorship. If the applicant can show that he or she cannot find a preceptorship in an acute care inpatient facility or a long-term acute care facility, the board may authorize a preceptorship pursuant to this subdivision in a skilled nursing facility, if such facility has 100 beds or more and such facility ensures to the board that the applicant will be providing health care to patients with similar health care needs as those patients in a long-term acute care facility;

(III) If the applicant entered the nontraditional nursing education program as (1) a military medical corpsman or paramedic with at least two years of experience as a paramedic or (2) a licensed practical nurse with less than three two years of clinical experience in the five years preceding the date of the application in a health care facility an acute care inpatient facility or a long-term acute care facility as a licensed practical nurse whose academic training as a licensed practical nurse did not include clinical training in pediatrics, obstetrics and gynecology, medical-surgical, and mental illness, have completed a 700 hour 480 hour
postgraduate preceptorship arranged by the applicant under the oversight of a registered professional nurse and approved by the board. Such preceptorship shall include clinical practice in a health care facility be in the area or areas as determined by the board on a case-by-case basis, which may include in pediatrics, obstetrics and gynecology, medical-surgical, mental illness, and transition into the role of a registered professional nurse. The preceptorship shall have prior approval of the board, and successful completion of the preceptorship shall be verified in writing by the preceptor.

(IV) If the applicant entered the nontraditional nursing education program as a military medical corpsman and has at least two years of experience as a military medical corpsman, have completed a postgraduate preceptorship of at least 480 hours but not more than 640 hours, as determined by the board; or

(V) If the applicant does not meet the requirements of subdivision (I), (II), (III), or (IV) of this division and the applicant Applicants who, before July 1, 2008, entered a nontraditional nursing education program before July 1, 2008, which meets the requirements of subsection (e) of this Code section and complete completes such program no later than June 30, 2012, he or she shall be deemed to meet the criteria of this paragraph; provided, however, that the board shall have the discretion to require additional clinical hours of experience a preceptorship of up to a maximum of 640 hours of any applicant of applicants who (i) did not enter the nontraditional nursing education program as a licensed practical nurse, or (ii) entered the nontraditional nursing education program as a licensed practical nurse but does not have at least one year of clinical experience in a health care facility as a licensed practical nurse, if such applicant's clinical experience is deemed lacking by the board.

All preceptorships required pursuant to this division shall be arranged by the applicant under the close supervision of a registered professional nurse where such applicant is transitioned into the role of a registered professional nurse and the applicant performs duties typically performed by registered professional nurses. Except as otherwise provided in subdivision (II) of this division, a preceptorship shall be in an acute care inpatient facility or a long-term acute care facility; provided, however, that the board may authorize a preceptorship in other facilities to obtain specialized experience in certain areas. The preceptorship shall have prior approval of the board, and successful completion of the preceptorship shall be verified in writing by the preceptor that the applicant has the critical thinking abilities, clinical skills, and leadership abilities necessary to practice as a registered professional nurse in an acute
care inpatient facility or a long-term acute care facility. The board shall make the
determinations required by this division in accordance with its established guidelines;

(3) Pass a board recognized licensing examination; provided, however, that such
examination may not be taken prior to graduation from the approved nursing education
program. In no way shall the passage of such examination by a graduate of a
nontraditional nursing education program who does not meet the other requirements of
this subsection be construed to authorize such individual to practice nursing, to require
the board to license such individual as a registered professional nurse other than to issue
in its sole discretion a temporary permit pursuant to Code Section 43-26-8, or to be
endorsed from another state as a registered professional nurse;

(4) Have satisfactory results from a fingerprint record check report conducted by the
Georgia Crime Information Center and the Federal Bureau of Investigation, as
determined by the board. Application for a license under this Code section shall
constitute express consent and authorization for the board or its representative to perform
a criminal background check. Each applicant who submits an application to the board
for licensure by examination agrees to provide the board with any and all information
necessary to run a criminal background check, including, but not limited to, classifiable
sets of fingerprints. The applicant shall be responsible for all fees associated with the
performance of such background check; and

(5) Meet such other criteria as established by the board.

(c) An applicant for licensure by endorsement shall:

(1) Submit a completed written application and fee;

(2)(A) Have passed a board recognized licensing examination following graduation
from an approved nursing education program, as defined in Code Section 43-26-3; or
(B) Notwithstanding subparagraph (A) of this paragraph, have graduated from a
nontraditional nursing education program approved by the board which meets the
requirements in subsection (e) of this Code section;

(3) Submit verification of initial and current licensure in any other licensing jurisdiction
administering a board recognized licensing examination;

(4)(A) Have practiced nursing as a registered professional nurse for a period of time
as determined by the board or have graduated from a nursing education program within
the four years immediately preceding the date of the application;
(B) If the applicant graduated from entered a nontraditional nursing education program
as:

(i) A licensed practical nurse whose academic education as a licensed practical nurse
included clinical training in pediatrics, obstetrics and gynecology, medical-surgical,
and mental illness; or
(ii) A paramedic, have practiced nursing as a registered professional nurse in an acute care inpatient facility or a long-term acute care facility for at least one year in the three years preceding the date of the application, and such practice is documented by the applicant and approved by the board; or

(C) If the applicant entered a nontraditional nursing education program as anything other than:

(i) A licensed practical nurse whose academic education as a licensed practical nurse included clinical training in pediatrics, obstetrics and gynecology, medical-surgical, and mental illness; or

(ii) A paramedic, and have graduated from such program and practiced nursing as a registered professional nurse in an acute care inpatient facility or a long-term acute care facility for less than one year at least three years in the three five years preceding the date of the application, and such practice is documented by the applicant and approved by the board, have completed a 350 hour postgraduate preceptorship arranged by the applicant under the oversight of a registered professional nurse and where such applicant is transitioned from the role of a licensed practical nurse to a registered professional nurse. The preceptorship shall have prior approval of the board and successful completion of the preceptorship shall be verified in writing by the preceptor; or

(D) If entered a nontraditional nursing education program as a military medical corpsman or paramedic and graduated from such program and practiced nursing as a registered professional nurse in a health care facility for less than one year in the three years preceding the date of the application, have completed a 700 hour postgraduate preceptorship arranged by the applicant under the oversight of a registered professional nurse. Such preceptorship shall include clinical practice in a health care facility in pediatrics, obstetrics and gynecology, medical-surgical, mental illness, and transition into the role of a registered professional nurse. The preceptorship shall have prior approval of the board, and successful completion of the preceptorship shall be verified in writing by the preceptor;

(5) Have satisfactory results from a fingerprint record check report conducted by the Georgia Crime Information Center and the Federal Bureau of Investigation, as determined by the board. Application for a license under this Code section shall constitute express consent and authorization for the board or its representative to perform a criminal background check. Each applicant who submits an application to the board for licensure by examination agrees to provide the board with any and all information
necessary to run a criminal background check, including, but not limited to, classifiable
sets of fingerprints. The applicant shall be responsible for all fees associated with the
performance of such background check; and

(6) Meet such other criteria as established by the board."

“(e) A nontraditional nursing education program shall meet the following requirements:

(1) Is part of an institution of higher education that is approved by the appropriate
regulatory authorities of its home state;

(2) Holds regional and specialty accreditation by an accrediting body or bodies
recognized by the United States Secretary of Education or the Council for Higher
Education Accreditation;

(3) Requires its program applicants to be a licensed practical/vocational nurse, military
medical corpsman, or paramedic;

(4) Requires its students to pass faculty determined program outcomes, including
competency based assessments of nursing knowledge and a summative performance
assessment of clinical competency of a minimum of 2 1/2 days developed by faculty
subject matter experts that follows nationally recognized standards for educational
testing; and

(5) Its graduates pass a board recognized licensing examination at a rate equivalent
to the minimum rate required for board approved traditional nursing education programs.”

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law
without such approval.

SECTION 3.

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