

Senate Bill 368

By: Senators Carter of the 1st, Ligon, Jr. of the 3rd, Millar of the 40th and Jackson of the 2nd

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 provide for continuing competency requirements as the board of nursing may
3 require by rules or regulations as a requirement of renewal of licenses; to provide for related
4 matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Chapter 26 of Title 43 of the Official Code of Georgia Annotated, relating to nurses, is
8 amended by revising Code Section 43-26-9, relating to the biennial renewal of licenses,
9 voluntary surrender or failure to renew a license, and restoration and reissuance of a license,
10 as follows:

11 "43-26-9.

12 (a) Licenses issued under this article shall be renewed biennially according to schedules
13 and fees approved by the board.

14 (b) A renewed license shall be issued to a registered professional nurse or licensed
15 undergraduate nurse who remits the required fee and complies with requirements
16 established by the board.

17 (b.1) An applicant for license renewal shall also meet such continuing competency
18 requirements as the board may require by rule or regulation.

19 (c) The voluntary surrender of a license or the failure to renew a license by the end of an
20 established penalty period shall have the same effect as a revocation of said license, subject
21 to reinstatement at the discretion of the board. The board may restore and reissue a license
22 and, as a condition thereof, may impose any disciplinary sanction provided by Code
23 Section 43-26-11 or Code Section 43-1-19."

24 **SECTION 2.**

25 Said chapter is further amended by revising Code Section 43-26-39, relating to the renewal
26 of a license, voluntary surrender, application for reinstatement, and temporary permits, as
27 follows:

28 "43-26-39.

29 (a) Licenses issued under this article shall be renewed biennially prior to the expiration of
30 the license according to schedules and fees decided by the board and approved by the
31 division director.

32 (b) A license shall be renewed for any licensed practical nurse who remits the required fee
33 and complies with the requirements established by the board.

34 (b.1) An applicant for license renewal shall also meet such continuing competency
35 requirements as the board may require by rule or regulation.

36 (c) The voluntary surrender of a license or the failure to renew a license by the end of an
37 established renewal period shall have the same effect as revocation of said license, subject
38 to reinstatement at the discretion of the board. The board may restore and reissue a license,
39 and, as a condition thereof, may impose any disciplinary sanction provided by Code
40 Section 43-1-19 upon such grounds as specified in Code Sections 43-1-19 and 43-26-40.

41 (d) Any license that is not renewed by the end of the renewal period may not thereafter be
42 renewed, and the licensee must apply for reinstatement. Applicants for reinstatement who
43 have not been engaged in the active practice of practical nursing as licensed practical
44 nurses for a period which exceeds five years shall be required to obtain such additional
45 education and training as provided in the rules and regulations of the board, which may
46 include but not be limited to returning to school for full training and taking the licensing
47 examination. Upon completion of the program, an application may be made for licensure
48 as a new applicant.

49 (e) The board may issue a temporary permit to qualified applicants under such terms and
50 conditions as specified in the rules and regulations of the board, but in no event shall such
51 a temporary permit be issued to an applicant who has failed to pass the required
52 examination.

53 (f) Other criteria for reinstatement may be determined by the rules of the board, including,
54 but not limited to, the following: additional coursework, a refresher course, supervised
55 clinical practice, or examination by the board."

56 **SECTION 3.**

57 This Act shall become effective on July 1, 2014.

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SECTION 4.

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