

The Senate Health and Human Services Committee offered the following substitute to SB 368:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 26 of Title 43 of the Official Code of Georgia Annotated, relating to nurses, so as to provide for continuing competency requirements as the board of nursing may require by rules or regulations as a requirement of renewal of licenses; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

"43-26-9.

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

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

(b.1) Beginning with the 2015 license renewal cycle, an applicant for license renewal shall also meet one of the following continuing competency requirements during the previous two calendar years:

(1) Completion of 30 continuing education hours by a board approved provider;

(2) Maintenance of certification or recertification by a national certifying body recognized by the board;

(3) Completion of an accredited academic program of study in nursing or a related field recognized by the board;

(4) Verification of competency and at least 500 hours practiced as evidenced by employer certification on a form approved by the board; or

27 (5) Other activities as prescribed and approved by the board that show competency in the
 28 nursing field.

29 Failure to meet the minimum continuing competency requirement for renewal of a license
 30 shall be grounds for denial of a renewal application. The board may waive or modify the
 31 continuing competency requirement stated by rule or regulation in cases of hardship,
 32 disability, illness, or under such other circumstances as the board, in its discretion, deems
 33 appropriate.

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

39 SECTION 2.

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

43 "43-26-39.

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

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

49 (b.1) Beginning with the 2015 license renewal cycle, an applicant for license renewal shall
 50 also meet such continuing competency requirements as the board may require by rule or
 51 regulation.

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

57 (d) Any license that is not renewed by the end of the renewal period may not thereafter be
 58 renewed, and the licensee must apply for reinstatement. Applicants for reinstatement who
 59 have not been engaged in the active practice of practical nursing as licensed practical
 60 nurses for a period which exceeds five years shall be required to obtain such additional
 61 education and training as provided in the rules and regulations of the board, which may
 62 include but not be limited to returning to school for full training and taking the licensing

63 examination. Upon completion of the program, an application may be made for licensure
64 as a new applicant.

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

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

72 **SECTION 3.**

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