

House Bill 332

By: Representatives Williamson of the 115th, Hamilton of the 24th, Cooper of the 43rd,
Watson of the 166th, Williams of the 119th, and others

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 reconstitute the Georgia Board of Nursing; to provide for membership; to
3 provide for appointment of members; to define a certain term; to repeal the Georgia Board
4 of Examiners of Licensed Practical Nurses; to provide effective dates; to repeal conflicting
5 laws; and for 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 Code Section 43-26-4, relating to the Georgia Board of Nursing,
10 membership, meetings, and officers, as follows:

11 "43-26-4.

12 (a) The Georgia Board of Nursing existing immediately prior to ~~April 4, 1990~~ July 1,
13 2013, is continued in existence and shall ~~continue to consist of eight members to be~~
14 ~~appointed by the Governor with the confirmation of the Senate~~ be constituted as provided
15 in this Code section. The terms of members serving on June 30, 2013, shall end on that
16 date, and members appointed as provided in subsection (c) of this Code section shall
17 assume office. Members shall serve three-year terms and until their successors are duly
18 appointed and qualified. ~~Those persons serving as members of the board immediately prior~~
19 ~~to April 4, 1990, shall continue to serve out their respective terms of office and until their~~
20 ~~respective successors are appointed and qualified.~~ No member shall be appointed to more
21 than two consecutive full terms, and for purposes of this limitation, an appointment to fill
22 a vacancy for an unexpired term of two or more years shall constitute an appointment for
23 a full term.

24 (b) A vacancy on the board for any reason other than expiration of the term shall be filled
25 for the remainder of the unexpired term by appointment of the Governor with the
26 confirmation of the Senate. In the event a board member changes employment which

27 causes a conflict with this Code section, the position of the member making such change
 28 shall be immediately vacant and a new member appointed to fill the vacancy.

29 ~~(c) Each of seven members appointed to the board shall be a registered professional nurse;~~
 30 ~~shall have practiced nursing as a registered professional nurse for at least five years since~~
 31 ~~graduation and immediately prior to appointment; shall be engaged in paid employment in~~
 32 ~~clinical, educational, or administrative positions, or any combination thereof; shall be a~~
 33 ~~citizen of the United States; and a resident of Georgia. The eighth member shall be a~~
 34 ~~consumer member appointed by the Governor. The 13 members of the board shall be~~
 35 appointed by the Governor with the confirmation of the Senate and shall consist of two
 36 registered nursing educators, one practical nursing educator, two registered nurses
 37 employed in nursing service administration, one registered nurse employed in nursing
 38 home administration, two advanced practice registered nurses, one additional registered
 39 nurse, three licensed practical nurses, and one consumer member.

40 ~~(d) No fewer than two members of the board shall hold master's or doctoral degrees or~~
 41 ~~both. No fewer than two members of the board shall be currently employed in nursing~~
 42 ~~service administration. No fewer than two members of the board shall be currently~~
 43 ~~employed in professional nursing education. No two members of the board shall be~~
 44 ~~employed by the same private school, school within the University System of Georgia,~~
 45 ~~private employer, agency of state government, or another public employer. In the event~~
 46 ~~a board member changes employment which causes a conflict with this subsection, the~~
 47 ~~position of the member making such change shall be immediately vacant and a new~~
 48 ~~member appointed to fill the vacancy.~~

49 ~~(e)~~ The board shall meet annually and shall elect from its members a president, vice
 50 president, and other officers as deemed necessary. All officers shall serve for terms of one
 51 year and until their successors have been elected. The board may hold such other meetings
 52 during the year as necessary to transact its business."

53 **SECTION 2.**

54 Said chapter is further amended by revising paragraphs (2) and (3) of Code Section 43-26-32,
 55 relating to definitions, as follows:

56 "(2) 'Board' means the Georgia Board of Examiners of Licensed Practical Nurses Nursing
 57 created in Code Section 43-26-34 43-26-4.

58 ~~(3) 'Consumer member' means a United States citizen and Georgia resident who is~~
 59 ~~knowledgeable about consumer health concerns, does not derive that person's primary~~
 60 ~~livelihood from the practice of nursing, and shall neither be nor ever have been a health~~
 61 ~~care provider or enrolled in any health related educational program. Reserved.~~

SECTION 3.

62
63 Said chapter is further amended by revising Code Section 43-26-34, relating to the board of
64 examiners created, appointment of members, terms, filling of vacancies, meetings, and
65 reimbursement of expenses, as follows:

66 "43-26-34.

67 ~~(a) The Georgia Board of Examiners of Licensed Practical Nurses shall consist of seven~~
68 ~~members appointed by the Governor. The members in office on July 1, 1992, shall serve~~
69 ~~out the remainder of their respective terms and until their successors are appointed and~~
70 ~~qualified. Members shall serve a three-year term and until their successors are duly~~
71 ~~appointed and qualified. No member shall be appointed to more than two consecutive full~~
72 ~~terms and, for the purpose of this limitation, an appointment to fill a vacancy for an~~
73 ~~unexpired term which exceeds two full years shall constitute an appointment for a full term.~~

74 ~~(b) A vacancy on the board for any reason other than expiration of the term shall be filled~~
75 ~~for the remainder of the unexpired term by appointment of the Governor. Vacancies shall~~
76 ~~be filled in a timely manner.~~

77 ~~(c) Each of the seven members appointed to the board shall be a citizen of the United~~
78 ~~States and a resident of Georgia. One member shall be a registered professional nurse who~~
79 ~~is currently engaged in practical nurse education and has been a graduate of an accredited~~
80 ~~or approved school of nursing for a minimum of five years. One member shall be a nurse~~
81 ~~currently serving in an administrative position in a hospital or nursing home and who is a~~
82 ~~graduate of an accredited or approved nursing program. One member shall be a consumer.~~
83 ~~The remaining four members shall be licensed practical nurses and graduates of an~~
84 ~~accredited or approved school of practical nursing. All members except the consumer shall~~
85 ~~have a current license in good standing, at least three years' experience in nursing, and shall~~
86 ~~be currently employed in the health care delivery system. In order to have equal~~
87 ~~representation of the board members, consideration in selection should be given for~~
88 ~~geographical location and areas of specialty.~~

89 ~~(d) No two members of the current board shall be employed by the same private school,~~
90 ~~school within the Technical College System of Georgia, private employer, agency of state~~
91 ~~government, or other public employer. In the event a board member changes employment~~
92 ~~which causes a conflict defined by this subsection, the position of the member making the~~
93 ~~change shall be immediately vacant and a new member appointed to fill the vacancy.~~

94 ~~(e) The board shall meet a minimum of six times a year and may have called meetings~~
95 ~~upon notice issued by its chairman.~~

96 ~~(f) The members of the board shall be reimbursed as provided for in subsection (f) of Code~~
97 ~~Section 43-1-2. Reserved."~~

98

SECTION 4.

99 For purposes of making initial appointments to the reconstituted Georgia Board of Nursing,
100 this Act shall become effective upon its approval by the Governor or upon its becoming law
101 without such approval. For all other purposes, this Act shall become effective on July 1,
102 2013.

103

SECTION 5.

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