

House Bill 692

By: Representatives Newton of the 127<sup>th</sup> and Hawkins of the 27<sup>th</sup>

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 3 of Chapter 26 of Title 43 of the Official Code of Georgia Annotated,  
2 relating to mandatory reporting requirements for nurses, so as to require registered  
3 professional nurses and advanced practice registered nurses in outpatient settings to  
4 immediately notify his or her supervising or delegating physician when he or she is subject  
5 to a complaint or report made to the Georgia Board of Nursing; to require the Georgia Board  
6 of Nursing to transmit to the Georgia Composite Medical Board copies of certain complaints  
7 and reports received relating to care rendered in certain settings which requires physician  
8 involvement; to provide for definitions; to provide for confidentiality and privileges relating  
9 to communications between the boards; to provide for an exception; to provide for related  
10 matters; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 Article 3 of Chapter 26 of Title 43 of the Official Code of Georgia Annotated, relating to  
14 mandatory reporting requirements for nurses, is amended by adding a new Code section to  
15 read as follows:

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16 "43-26-56.

17 (a) As used in this Code section, the term:

18 (1) 'Biological product' means a product derived from living material, including human,  
19 animal, or microorganism regulated by the Federal Food, Drug, and Cosmetic Act, the  
20 federal Public Health Service Act, or both, used for the treatment, prevention, or cure of  
21 disease in humans.

22 (2) 'Compounded drug' means the preparation, mixing, assembling, altering, packaging,  
23 and labeling of a drug, drug-delivery device, or device in accordance with a licensed  
24 practitioner's prescription, medication order, or initiative based on the relationship  
25 between the practitioner, patient, pharmacist, and compounding pharmacist or pharmacy  
26 in the course of professional practice.

27 (3) 'Medical device' means any instrument, machine, contrivance, implant, or in vitro  
28 reagent regulated by the Federal Food, Drug, and Cosmetic Act intended to treat, cure,  
29 prevent, mitigate, or diagnose disease in humans.

30 (4) 'Prescription drug' means any human drug required by federal law or regulation to be  
31 dispensed only by a prescription, including finished dosage forms and active ingredients  
32 subject to the Federal Food, Drug, and Cosmetic Act.

33 (5) 'Prescription product' means a:

34 (A) Prescription drug;

35 (B) Biological product;

36 (C) Medical device; or

37 (D) Compounded drug.

38 (b) On and after July 1, 2025, when a registered professional nurse or advanced practice  
39 registered nurse working in an outpatient setting becomes aware of a complaint or report  
40 made to the board regarding care rendered by such nurse that requires physician  
41 involvement, including, but not limited to, ordering or procuring prescription products, the  
42 administration of prescription products, or the ordering or prescribing of prescription

43 products pursuant to a nurse protocol agreement, the registered professional nurse or  
44 advanced practice registered nurse shall immediately notify his or her supervising or  
45 delegating physician of such complaint.

46 (c) On and after July 1, 2025, notwithstanding Code Section 43-1-21, when the board  
47 receives a complaint or report regarding care rendered by a registered professional nurse  
48 or advanced practice registered nurse in an outpatient setting that requires physician  
49 involvement, including, but not limited to, ordering or procuring prescription products, the  
50 administration of prescription products, or the ordering or prescribing of prescription  
51 products pursuant to a nurse protocol agreement, the board shall immediately transmit a  
52 copy of such complaint or report to the Georgia Composite Medical Board, including any  
53 investigative materials related to such complaint or report.

54 (d) No later than December 31, 2025, notwithstanding Code Section 43-1-21, the board  
55 shall transmit to the Georgia Composite Medical Board a copy of all complaints and  
56 reports received by the board between January 1, 2021, and June 30, 2025, regarding care  
57 rendered by a registered professional nurse or advanced practice registered nurse in an  
58 outpatient setting that requires physician involvement, including, but not limited to,  
59 ordering or procuring prescription products, the administration of prescription products, or  
60 the ordering or prescribing of prescription products pursuant to a nurse protocol agreement,  
61 including any investigative materials received by the board prior to or after June 30, 2025,  
62 related to such complaints and reports.

63 (e) Any communications between the board and the Georgia Composite Medical Board,  
64 including communications with investigators and other staff of each of the respective  
65 boards pursuant to this Code section, shall not be construed to waive, abrogate,  
66 compromise, or otherwise affect the confidentiality of any such communications or the  
67 privileges of each board provided pursuant to the provisions of Article 6 of Chapter 7 of  
68 Title 31, relating to medical peer review groups.

69 (f) The provisions of this Code section shall not apply to complaints or reports received  
70 by the board relating to prescription products provided or administered by a registered  
71 professional nurse or advanced practice registered nurse through a home health agency as  
72 defined in Code Section 31-7-150."

73 **SECTION 2.**

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