

SENATE FLOOR AMENDMENTS

2016 Regular Session

Amendments proposed by Senator Mills to Engrossed House Bill No. 1161 by Representative Dustin Miller

1 AMENDMENT NO. 1

2 On page 1, line 2, after "R.S." delete the remainder of the line and insert "37:913(9),
3 914(B)(1), 915, 916, 917, and 1264(B) and to enact R.S. 37:914.1 and 1263.1, relative to
4 the Louisiana"

5 AMENDMENT NO. 2

6 On page 1, line 4, after "relative to" delete "the fee schedule of the board" and insert "the
7 Louisiana State Board of Medical Examiners; to provide for rulemaking relative to
8 collaborative practice agreements; to provide for rulemaking deadlines; to provide for
9 penalties"

10 AMENDMENT NO. 3

11 On page 1, line 7, after "Section 1." delete the remainder of the line and delete line 8 and
12 insert "R.S. 37:913(9), 914(B)(1), 915, 916, 917, and 1264(B) are hereby amended and
13 reenacted and R.S. 37:914.1 and 1263.1 are hereby enacted to read as follows:"

14 AMENDMENT NO. 4

15 On page 1, between lines 8 and 9, insert the following:

16 "§913. Definitions

17 As used in this Part:

18 * * *

19 (9)(a) "Collaborative practice agreement" means a formal written statement
20 addressing the parameters of the collaborative practice which are mutually agreed
21 upon by the advanced practice registered nurse and one or more licensed physicians
22 or dentists which shall include but not be limited to the following provisions:

23 ~~(a)~~ (i) Availability of the collaborating physician or dentist for consultation
24 or referral, or both.

25 (b) (ii) Methods of management of the collaborative practice which shall
26 include clinical practice guidelines.

27 ~~(c)~~ (iii) Coverage of the health care needs of a patient during any absence of
28 the advanced practice registered nurse, physician, or dentist.

29 (b) A collaborative practice agreement shall not be required after January 1,
30 2018, if the advanced practice registered nurse is exempt pursuant to the rules and
31 regulations adopted by the Louisiana State Board of Nursing and the Louisiana State
32 Board of Medical Examiners in accordance with R.S. 37:914.1 and R.S. 1263.1 and
33 promulgated and published pursuant to the Administrative Procedure Act.

34 * * *

35 AMENDMENT NO. 5

36 On page 2, between lines 3 and 4, insert the following:

37 "§914.1. Louisiana State Board of Nursing; adoption of rules establishing an
38 exemption from the collaborative practice agreement between an
39 advanced practice registered nurse and a licensed physician

40 A. The Louisiana State Board of Nursing shall work jointly with the
41 Louisiana State Board of Medical Examiners to develop and adopt rules establishing

1 an exemption from the collaborative practice agreement between an advanced
2 practice registered nurse and a licensed physician.

3 B. The rules shall include but not be limited to the following:

4 (1) Guidelines and criteria providing for the minimum licensure requirements
5 that must be obtained.

6 (2) Guidelines and criteria providing for required standing with the board.

7 (3) Guidelines and criteria providing for the minimum hours of experience
8 with a collaborative practice agreement.

9 (4) Guidelines and criteria providing for minimum hours of advanced studies
10 and training in areas such as physical assessment, pharmacology, and
11 pathophysiology.

12 (5) Guidelines and criteria providing for primary care access in health
13 professional shortage areas.

14 (6) Guidelines and criteria providing for primary care access within a certain
15 specified geographical radius with no primary care physicians.

16 (7) Guidelines and criteria providing for primary care access in an area where
17 no licensed physician is willing to enter into a collaborative practice agreement.

18 (8) Guidelines and criteria regarding a licensed physician requiring a fee or
19 obtaining a financial benefit as a condition of entering into the collaborative practice
20 agreement.

21 C. The rules provided for in this Section shall be adopted in accordance with
22 the Administrative Procedure Act by January 1, 2018.

23 D. Notwithstanding any other provision of law to the contrary, the failure to
24 adopt rules as provided by the provisions of Subsection B of this Section by January
25 1, 2018, shall be grounds for the immediate removal of the members of the Louisiana
26 State Board of Nursing pursuant to R.S. 37:915(B).

27 §915. Removal of board members

28 A. Any member may be removed from the board by the governor or a
29 majority vote of the board after notice and a hearing by the board wherein grounds
30 for removal have been established, and the removal is recommended by the
31 Louisiana State Nurses Association. Grounds for removal shall include but not be
32 limited to incompetence, neglect of duty, or unprofessional or dishonorable conduct.

33 B. Every member of the board may be removed by the governor for failure
34 to comply with R.S. 37:914.1."

35 * * *

36 AMENDMENT NO. 6

37 On page 3, delete lines 5 through 17 and insert the following:

38 "§1263.1. Louisiana State Board of Medical Examiners; adoption of rules
39 establishing an exemption from the collaborative practice agreement
40 between an advanced practice registered nurse and a licensed
41 physician

42 A. The Louisiana State Board of Medical Examiners shall work jointly with
43 the Louisiana State Board of Nursing to develop and adopt rules establishing an
44 exemption from the collaborative practice agreement between an advanced practice
45 registered nurse and a licensed physician.

46 B. The rules shall include but not be limited to the following:

47 (1) Guidelines and criteria providing for the minimum licensure requirements
48 that must be obtained.

49 (2) Guidelines and criteria providing for required standing with the board.

50 (3) Guidelines and criteria providing for the minimum hours of experience
51 with a collaborative practice agreement.

52 (4) Guidelines and criteria providing for minimum hours of advanced studies
53 and training in areas such as physical assessment, pharmacology, and
54 pathophysiology.

1 (5) Guidelines and criteria providing for primary care access in health
2 professional shortage areas.

3 (6) Guidelines and criteria providing for primary care access within a certain
4 specified geographical radius with no primary care physicians.

5 (7) Guidelines and criteria providing for primary care access in an area where
6 no licensed physician is willing to enter into a collaborative practice agreement.

7 (8) Guidelines and criteria regarding a licensed physician requiring a fee or
8 obtaining a financial benefit as a condition of entering into the collaborative practice
9 agreement.

10 C. The rules provided for in this Section shall be adopted in accordance with
11 the Administrative Procedure Act by January 1, 2018.

12 D. Notwithstanding any other provision of law to the contrary, the failure to
13 adopt rules as provided by the provisions of Subsection B of this Section by January
14 1, 2018, shall be grounds for the immediate removal of the members of the Louisiana
15 State Board of Medical Examiners pursuant to R.S. 37:1264(B)(2).

16 §1264. Vacancies; removal

17 * * *

18 B.(1) The governor may remove any member of the board for inefficiency
19 or neglect of duty.

20 (2) Every member of the board may be removed by the governor for failure
21 to comply with R.S. 37:1263.1."