

FOR OFFICE USE ONLY	

HOUSE FLOOR AMENDMENTS

2021 Regular Session

Amendments proposed by Representative Turner to Engrossed House Bill No. 495 by Representative Ivey

1 AMENDMENT NO. 1

2 On page 1, at the beginning of line 4, change "37:936 and 937," to "36:259(B)(39) and R.S.
3 37:936 through 939 and 1020.51 and 1020.52," and at the end of the line change "R.S.
4 37:913(7) through (9)," to "R.S. 37:913(8) and (9),"

5 AMENDMENT NO. 2

6 On page 1, line 10, after "clinics;" and before "to authorize" insert "to provide requirements
7 for transition to independent practice for certain advanced practice registered nurses; to
8 create the Independent Practice Advisory Panel within the Louisiana Department of Health
9 and provide for the duties and functions of the panel;"

10 AMENDMENT NO. 3

11 On page 4, between lines 24 and 25, insert the following:

12 "Section 2. R.S. 36:259(B)(39) is hereby enacted to read as follows:

13 §259. Transfer of agencies and functions to Louisiana Department of Health

14 * * *

15 B. The following agencies, as defined in R.S. 36:3, are placed within the
16 Louisiana Department of Health and shall perform and exercise their powers, duties,
17 functions, and responsibilities as otherwise provided by law:

18 * * *

19 (39) The Independent Practice Advisory Panel (R.S. 37:1020.51 et seq.).

20 * * *

21 AMENDMENT NO. 4

22 On page 4, at the beginning of line 25, change "Section 2." to "Section 3."

23 AMENDMENT NO. 5

24 On page 5, at the beginning of line 26, change "37:936" to "37:937"

25 AMENDMENT NO. 6

26 On page 7, between lines 4 and 5, insert the following:

27 "§936. Transition to practice requirements for certain advanced practice registered
28 nurses

1 A.(1) Each nurse practitioner, certified nurse midwife, and clinical nurse
 2 specialist shall collaborate, as defined in R.S. 37:913(7), for at least six thousand
 3 hours, subject to the conditions of Paragraph (2) of this Subsection, with a licensed
 4 physician or be employed by a clinic that has a medical director who is a licensed
 5 physician. Additionally, any nurse practitioner, certified nurse midwife, or clinical
 6 nurse specialist who practices in any specialty and transitions to independent practice
 7 shall do so in collaboration with a physician who practices in that same specialty.

8 (2) Each nurse practitioner, certified nurse midwife, and clinical nurse
 9 specialist shall submit written evidence to the board upon completion of the clinical
 10 experience required in Paragraph (1) of this Subsection. Hours of clinical experience
 11 gained in another state may count toward the clinical experience requirement
 12 provided in Paragraph (1) of this Subsection, subject to approval by the board.

13 (3)(a) Any nurse practitioner, certified nurse midwife, or clinical nurse
 14 specialist who did not complete four thousand clinical hours as a registered nurse
 15 prior to achieving advanced practice certification shall collaborate for an additional
 16 four thousand hours beyond the minimum hour requirement provided in Paragraph
 17 (1) of this Subsection.

18 (b) Any individual who is subject to the clinical hour requirement of this
 19 Paragraph and does not have the requisite number of clinical hours shall obtain the
 20 balance of the hours needed after his graduation, and such hours shall be gained in
 21 collaboration with a licensed physician, in employment in a clinic that has a medical
 22 director who is a licensed physician, or in a combination of these two authorized
 23 methods.

24 (4) Notwithstanding Paragraphs (1) through (3) of this Subsection, a nurse
 25 practitioner, certified nurse midwife, or clinical nurse specialist shall hold a current,
 26 unencumbered license issued by the board.

27 (5) Any nurse practitioner, certified nurse midwife, or clinical nurse
 28 specialist who is deemed by the board to have met the requirements of this
 29 Subsection necessary for independent practice on and after the effective date of this
 30 Section shall be eligible to transition to independent practice.

31 B. No nurse practitioner, certified nurse midwife, or clinical nurse specialist
 32 who has completed the requirements of Subsection A of this Section and practices
 33 independently in a specialty may practice independently in a different specialty
 34 unless he completes all requirements of Subsection A of this Section again for that
 35 different specialty."

36 AMENDMENT NO. 7

37 On page 7, at the beginning of line 5, change "§936." to "§937."

38 AMENDMENT NO. 8

39 On page 7, at the beginning of line 22, change "§937." to "§938."

40 AMENDMENT NO. 9

41 On page 7, between lines 26 and 27, insert the following:

42 "§939. Collaborative practice agreements

43 A. The board shall not prohibit an advanced practice registered nurse from
 44 practicing under a collaborative practice agreement.

45 B. For purposes of this Section, "collaborative practice agreement" means
 46 a formal written statement addressing the parameters of collaboration, as defined in
 47 R.S. 37:913(7), which are mutually agreed upon by an advanced practice registered
 48 nurse and one or more licensed physicians which includes but shall not be limited to
 49 the following provisions:

- 1 (1) Availability of the collaborating physician for consultation, referral, or
- 2 both.
- 3 (2) Methods of management of the collaborative practice which shall include
- 4 clinical practice guidelines.
- 5 (3) Coverage of the healthcare needs of a patient during any absence of the
- 6 advanced practice registered nurse or physician.

* * *

8 §1020.51. Independent Practice Advisory Panel

9 A. There is hereby created within the Louisiana Department of Health the
10 Independent Practice Advisory Panel, referred to hereafter in this Chapter as the
11 "advisory panel".

- 12 B. The advisory panel shall be composed of the following members:
- 13 (1) One physician appointed by the Louisiana State Medical Society.
- 14 (2) One physician appointed by the Louisiana Medical Association.
- 15 (3) One physician appointed by the Louisiana Academy of Family
- 16 Physicians.
- 17 (4) Two advanced practice registered nurses appointed by the Louisiana
- 18 Association of Nurse Practitioners.
- 19 (5) One advanced practice registered nurse appointed by the Louisiana
- 20 Council of Administrators of Nursing Education.
- 21 (6) The executive director of the Louisiana State Board of Nursing, who
- 22 shall be a nonvoting member.
- 23 (7) The executive director of the Louisiana State Board of Medical
- 24 Examiners, who shall be a nonvoting member.

25 C. At its initial meeting, the advisory panel shall elect from its membership
26 a chairman and such other officers as it deems necessary and shall establish rules of
27 procedure and policies for the administration of its affairs.

28 D. The advisory panel shall meet at least semiannually.

29 E. Four members, at least two of whom are physicians and two of whom are
30 advanced practice registered nurses, shall constitute a quorum of the advisory panel.

- 31 F. The advisory panel shall have the following duties and responsibilities:
- 32 (1) Ensure quality of care post discipline action.
- 33 (2) Make recommendations on education items to reduce recurring
- 34 violations.
- 35 (3) Review complaints and concerns regarding advanced practice registered
- 36 nurses who practice independently and regarding physicians who collaborate with
- 37 advanced practice registered nurses.
- 38 (4) Develop advisory or practice opinions of any items brought before the
- 39 panel.
- 40 (5) Make recommendations to the Louisiana State Board of Nursing and the
- 41 Louisiana State Board of Medical Examiners concerning administrative rules to be
- 42 jointly promulgated by both boards to govern independent practice by advanced
- 43 practice registered nurses.

44 §1020.52. Termination

45 The provisions of this Chapter shall terminate on August 1, 2025."

46 AMENDMENT NO. 10

47 On page 7, line 27, delete "Section 3." and insert in lieu thereof "Section 4." and delete "R.S.
48 37:913(7) through (9)" and insert in lieu thereof "R.S. 37:913(8) and (9)"

1 AMENDMENT NO. 11

2 On page 7, after line 28, add the following:

3 "Section 5.(A) The Louisiana State Law Institute is hereby directed to redesignate
4 R.S. 37:1021 through 1035 as Chapter 11-B of Title 37 of the Louisiana Revised Statutes
5 of 1950 and is further directed to retain the heading of the Chapter.

6
7 (B) The Louisiana State Law Institute is hereby directed to designate R.S.
8 37:1020.51 and 1020.52, as enacted by Section 3 of this Act, as Chapter 11-A of Title 37 of
9 the Louisiana Revised Statutes of 1950 and is further directed to apply to the Part the
10 heading "Advanced Practice Registered Nurses - Independent Practice"."