

2023 -- H 5349

LC000239

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- NURSES

Introduced By: Representatives Casey, Fenton-Fung, Kazarian, Chippendale, Craven,
Bennett, Messier, Kislak, O'Brien, and Dawson

Date Introduced: February 03, 2023

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 5-34-31 of the General Laws in Chapter 5-34 entitled "Nurses" is
2 hereby amended to read as follows:

3 **5-34-31. Practices and persons exempt.**

4 No provisions of this chapter shall be construed as prohibiting:

5 (1) Gratuitous nursing by friends or members of the family or as prohibiting the care of the
6 sick by domestic servants, housekeepers, nursemaids, companions, or household aides of any type,
7 whether employed regularly or because of an emergency of illness, provided that person is
8 employed primarily in a domestic capacity and does not hold himself or herself out or accept
9 employment as a person licensed to practice nursing for hire under the provisions of this chapter or
10 as prohibiting nursing assistants in the case of any emergency;

11 (2) The practice of nursing by students enrolled in approved educational programs of
12 professional nursing or practical-nursing educational programs nor by graduates of those schools
13 or courses ~~pending the results of the licensing examinations following that graduation~~ before taking
14 and receiving results of the NCLEX examination, provided that they are licensed in this state within
15 ninety (90) days from the date on the department's licensing application fee receipt, in accordance
16 with regulations prescribed by the board;

17 (3) The practice of nursing in this state by any legally qualified nurse of another state whose
18 engagement requires him or her to accompany and care for a patient temporarily residing in this
19 state during the period of this engagement not to exceed six (6) months in length, provided that

1 person does not represent or hold himself or herself out as a nurse licensed to practice in this state;

2 (4) The practice of any legally qualified nurse of another state who is employed by the
3 United States government or any bureau, division, or agency of the government while in the
4 discharge of his or her official duties;

5 (5) Persons employed in state and licensed ~~hospitals and sanatoria~~ [healthcare facilities](#),
6 licensed homes for the aged and/or convalescent persons, and recognized public-health agencies
7 from assisting in the nursing care of patients if adequate medical or nursing supervision is provided;

8 (6) Nursing care of the sick with or without compensation or personal profit when done in
9 connection with the practice of the religious tenets of any recognized or established church by
10 adherents as long as they do not engage in the practice of nursing as defined in this chapter;

11 (7) Persons who provide acceptable evidence of being currently licensed by examination
12 or endorsement under the laws of other states of the United States and the District of Columbia
13 from practicing nursing in this state for a period of ninety (90) days from the date on the application
14 fee receipt, provided that they are licensed in this state within ninety (90) days from the date on the
15 application fee receipt. The original privilege to work ninety (90) days from the date on the
16 application fee receipt shall not be extended or renewed.

17 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would amend the conditions upon which a nurse would be exempt from certain
2 licensing requirements to include eligibility to practice before taking and receiving results of the
3 NCLEX exam.

4 This act would take effect upon passage.

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