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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- NURSES

Introduced By: Representatives McNamara, Corvese, and Bennett

Date Introduced: February 27, 2013

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 5-34-3, 5-34-4, 5-34-7 and 5-34-40 of the General Laws in
2 Chapter 5-34 entitled "Nurses" are hereby amended to read as follows:

3 **5-34-3. Definitions.** -- As used in this chapter:

4 (1) "Advanced practice registered nurse" ~~means the status of qualified individuals who~~
5 ~~hold an active license as a registered nurse and an active license as a nurse in an advanced role as~~
6 ~~defined under the provisions of this chapter or chapter 5-34.2.~~

7 (APRN) is the title given to an individual licensed to practice advanced practice
8 registered nursing within one of the following roles: certified nurse practitioner (CNP), certified
9 registered nurse anesthetist (CRNA) as defined in chapter 5-34.2, or certified clinical nurse
10 specialist (CNS), and who functions in a population focus. An APRN may serve as a primary or
11 acute care provider of record.

12 (2) "Advanced practice registered nursing" means an independent and expanded scope of
13 nursing in a role and population focus approved by the Board of Nurse Registration and Nursing
14 Education that includes the registered nurse scope of practice and may include, but is not limited
15 to, performing acts of advanced assessment, diagnosing, prescribing and ordering. Each APRN is
16 accountable to patients, the nursing profession and the Board of Nursing for complying with the
17 requirements of this chapter and the quality of advanced nursing care rendered; recognizing limits
18 of knowledge and experience; planning for the management of situations beyond the APRN's
19 expertise; and for consulting with or referring patients to other health care providers as

1 [appropriate.](#)

2 ~~(2)~~(3) "Approval" means the process where the board of nursing evaluates and grants
3 official recognition to basic nursing education programs meeting established criteria and
4 standards.

5 ~~(3)~~(4) "Certified ~~registered~~ nurse practitioner" is an advanced practice nurse utilizing
6 independent knowledge of physical assessment, [diagnosis](#), and management of health care and
7 illnesses. The practice includes prescriptive privileges. The practice includes collaboration with
8 other licensed health care professionals including, but not limited to, physicians, pharmacists,
9 podiatrists, dentists and nurses. [Certified nurse practitioners are members of the health care
10 delivery system practicing in areas including, but not limited to: family practice, pediatrics, adult
11 health care, geriatrics and women's health care in primary, acute, long-term and critical care
12 settings in health care facilities and the community. Certified nurse practitioners may be
13 recognized as the primary care provider or acute care provider of record.](#)

14 [\(5\) "Certified Clinical Nurse Specialist" is an advanced practice registered nurse that
15 independently provides care to clients, facilitates attainment of health goals, and provides
16 innovation in nursing practice, based on clinical expertise, evidence-based decision-making, and
17 leadership skills. The clinical nurse specialist practices with individual clients and populations;
18 nurses and other multidisciplinary team members; and organizations to effect system-wide
19 changes to improve programs of care. The practice may include prescriptive privileges.](#)

20 [\(6\) Certified registered nurse anesthetist is as defined in chapter 5-34.2 \("Nurse
21 Anesthetist"\).](#)

22 ~~(4)~~(7) "Department" means the department of health.

23 ~~(5)~~(8) "Health" means optimum well-being.

24 ~~(6)~~(9) "Healthcare" means those services provided to promote the optimum well-being of
25 individuals.

26 ~~(7)~~(10) "Licensed" means the status of qualified individuals who have completed a
27 designated process by which the board of nursing grants permission to individuals accountable
28 and/or responsible for the practice of nursing and to engage in that practice, prohibiting all others
29 from legally doing so.

30 ~~(8)~~(11) "Nursing" means the provision of services that are essential to the promotion,
31 maintenance, and restoration of health throughout the continuum of life. It provides care and
32 support of individuals and families during periods of wellness, illness, and injury, and
33 incorporates the appropriate ~~medical~~ [health care](#) plan of care prescribed by a [licensed advanced
34 practice registered nurse, certified nurse midwife](#), licensed physician, dentist, or podiatrist. It is a

1 distinct component of health services. Nursing practice is based on specialized knowledge,
2 judgment, and nursing skills acquired through educational preparation in nursing and in the
3 biological, physical, social, and behavioral sciences.

4 ~~(9)~~(12) "Practical nursing" is practiced by licensed practical nurses (L.P.N.s). It is an
5 integral part of nursing based on a knowledge and skill level commensurate with education. It
6 includes promotion, maintenance, and restoration of health and utilizes standardized procedures
7 leading to predictable outcomes, which are in accord with the professional nurse regimen under
8 the direction of a registered nurse. In situations where registered nurses are not employed, the
9 licensed practical nurse functions under the direction of a licensed physician, dentist, podiatrist or
10 other licensed health care providers authorized by law to prescribe. Each L.P.N. is responsible for
11 the nursing care rendered.

12 (13) "Population foci" means focus of the patient population. Population focus shall
13 include:

14 (i) Family/Individual across the lifespan ;

15 (ii) Adult-gerontology;

16 (iii) Neonatal;

17 (iv) Pediatrics;

18 (v) Women's health/gender-related; and

19 (vi) Psychiatric/mental health.

20 ~~(10)~~(14) "Professional nursing" is practiced by registered nurses (R.N.s). The practice of
21 professional nursing is a dynamic process of assessment of an individual's health status,
22 identification of health care needs, determination of health care goals with the individual and/or
23 family participation and the development of a plan of nursing care to achieve these goals. Nursing
24 actions, including teaching and counseling, are directed toward the promotion, maintenance, and
25 restoration of health and evaluation of the individual's response to nursing actions and the
26 medical regimen of care. The professional nurse provides care and support of individuals and
27 families during periods of wellness and injury, and incorporates where appropriate, the medical
28 plan of care as prescribed by a licensed physician, dentist or podiatrist or other licensed health
29 care providers authorized by law to prescribe. Each R.N. is directly accountable and responsible
30 to the consumer for the nursing care rendered.

31 ~~(11)~~(15) "Psychiatric and mental health nurse clinical specialist" is a certified clinical
32 nurse specialist working in the population foci of psychiatric/mental health as an advanced
33 practice nurse utilizing independent knowledge in psychiatric mental health assessment,
34 diagnosis, health promotion, psychotherapeutic modalities and management of mental health and

1 illnesses. The practice may include prescription privileges within their scope of practice ~~of certain~~
2 ~~legend medications, controlled substances from Schedule II classified as stimulants, and~~
3 ~~controlled substances from Schedule IV within the scope of their practice.~~ The practice may also
4 include consultation, education, and collaboration with other licensed health care professionals,
5 including, but not limited to, psychiatrists, psychologists, physicians, social workers, pharmacists,
6 and nurses. ~~The psychiatric and mental health clinical specialist holds the qualifications defined~~
7 ~~in section 5-34-40.1.~~

8 **5-34-4. Board of nursing -- Establishment -- Composition -- Appointment, terms,**
9 **and removal of members -- Director of nurse registration and nursing education. --** (a)

10 Within the division of professional regulation, pursuant to chapter 26 of this title, there is a board
11 of nurse registration and nursing education, sometimes referred to herein as "BON". The board
12 shall be composed of fifteen (15) members. The term of office shall be for three (3) years. No
13 member shall serve more than two (2) consecutive terms. The member shall serve until a
14 qualified successor is appointed to serve. In making those appointments, the director of the
15 department of health shall consider persons suggested by professional nurse organizations and the
16 practical nurse's association.

17 (b) Present members of the board holding office under the provisions of this chapter
18 shall serve as members of the board until the expiration of their terms or until qualified successors
19 are appointed. The fifteen (15) member board shall include: eleven (11) professional nurses, two
20 (2) practical nurses appointed by the director of health and approved by the governor and two (2)
21 members of the general public appointed by the governor. Three (3) professional nurses shall be
22 from different basic education programs preparing students to become nurses; one professional
23 nurse shall be from a nursing service administration; four (4) professional non-administrative,
24 clinical nurses not licensed as advanced practice nurses, and three (3) professional advanced
25 practice nurses, one who holds a license as a certified registered nurse anesthetist, one who holds
26 a license as a certified registered nurse practitioner, and one who holds a license as a ~~psychiatric~~
27 ~~and mental health~~ certified nurse clinical specialist. No educational program or cooperating
28 agency shall have more than one representative on the board.

29 (c) The director of health may remove any member from the board for cause including,
30 but not limited to, neglect of any duty required by law, or incompetence, or unprofessional
31 conduct, or willful misconduct. A member subject to disciplinary proceedings shall be
32 disqualified from board business until the charge is adjudicated. There shall also be a director of
33 nurse registration and nursing education appointed by the director of health in accordance with
34 the provisions of chapter 4 of title 36.

1 **5-34-7. Board of nursing -- General powers. --** The board of nurse registration and
2 nursing education is authorized, subject to the approval of the director of the department of
3 health, to:

4 (1) Adopt, review, or revise rules, and regulations consistent with the law that may be
5 necessary to effect provisions of the chapter;

6 (2) Approve nursing education programs according to the rules established by the board;

7 (3) Require standards for nursing practice within organized nursing services and the
8 individual practice of licensees;

9 (4) Approve the examinations for licensure;

10 (5) Establish requirements to validate competence for reinstatement to the active list;

11 (6) Conduct hearings upon charges calling for discipline of a licensee or revocation of a
12 license;

13 (7) Issue subpoenas to, compel the attendance of witnesses at, and administer oaths to
14 persons giving testimony at hearings;

15 (8) Cause the prosecution or enjoinder of all persons violating this chapter;

16 (9) Maintain a record of all its proceedings;

17 (10) Submit an annual report to the director of the department of health;

18 (11) Utilize other persons that may be necessary to carry on the work of the board;

19 (12) Conduct public hearings, investigations, and studies of nursing practice, nursing
20 education, and related matters and prepare and issue publications that, in the judgment of the
21 board, allow the nursing profession to provide safe, effective nursing services to the public;

22 (13) Determine qualifications necessary for prescriptive privileges for ~~certified registered~~
23 ~~nurse practitioners~~ advanced practice registered nurses;

24 (14) Grant ~~certified registered nurse practitioners~~ prescriptive privileges to advanced
25 practice registered nurses; and

26 (15) ~~Determine qualification necessary for the prescriptive privileges for psychiatric and~~
27 ~~mental health clinical nurse specialists; and~~

28 (16) ~~Grant certified psychiatric and mental health clinical nurse specialists prescriptive~~
29 ~~privileges.~~

30 (17) Adopt criteria for recognizing national certifying bodies for APRN roles and
31 population foci.

32 **5-34-40. Advanced practice nurse advisory committee. --** (a) The ~~nine (9)~~ seven (7)
33 member committee consists of two (2) certified ~~registered~~ nurse practitioners, two (2) certified
34 registered nurse anesthetists, two (2) psychiatric and mental health clinical nurse specialists, ~~one~~

1 ~~physician and two (2) consumers~~ and one consumer. The director of health shall appoint the
2 committee. In making appointments to the committee, the director shall consider persons
3 recommended by professional nurse organizations and professional medical associations. The
4 professional members of the committee shall be currently engaged in practice. The consumer
5 members shall be: (1) knowledgeable in consumer health concerns; (2) a resident of the state; (3)
6 not licensed as a health care practitioner; (4) not a parent, spouse, sibling, or child of a person
7 licensed as a health care practitioner, and not a student in a professional program; (5) not having a
8 direct financial interest in health care services; (6) not a member or an employee of any board of
9 control of any public or private health care service.

10 (b) Each member appointment shall be for three (3) years, with no member serving more
11 than two (2) consecutive three (3) year terms except that in making the initial appointments the
12 director designates: four (4) members for a term of two (2) years; three (3) members for a term of
13 three (3) years; and the consumer members for three (3) year terms.

14 (c) This committee must meet not fewer than two (2) times per year. The committee has
15 the following functions:

16 (1) To assess advanced nursing practice for the purpose of improving patient care.

17 (2) (i) To review all complaints regarding advanced practice nurses, and recommend any
18 and all disciplinary or corrective action that they deem appropriate, including revocation and
19 suspension of license, upon proof that an advanced practice nurse has:

20 (A) Aided or abetted an uncertified person to practice as an advanced practice nurse;

21 (B) Become addicted to the use of liquor or controlled substances;

22 (C) Negligently, willfully, or intentionally acted in a manner inconsistent with the health
23 and safety of persons entrusted to his or her care;

24 (D) Had his or her authorization to practice as an advanced practice nurse denied,
25 revoked or suspended in another state;

26 (E) Engaged in the performance of medical functions beyond the scope of practice
27 authorized by the provisions of this chapter;

28 (F) Willfully failed to file or record medical records and reports;

29 (G) Mental incompetence; or

30 (H) Willfully failed to maintain standards established by the nursing profession.

31 (ii) The recommendation shall be submitted to the board of nursing for implementation.

32 (3) To advise periodically to the board of nurse registration and nursing education
33 regarding advanced nurse practice.

34 SECTION 2. Chapter 5-34 of the General Laws entitled "Nurses" is hereby amended by

1 adding thereto the following sections:

2 **5-34-44. Advanced practical registered nurses as independent practitioners. --**

3 APRNs are licensed independent practitioners within standards established or recognized by the
4 BON. Each APRN is accountable to patients, the nursing profession and the BON for:

5 (1) Complying with the requirements of this chapter and the quality of advanced nursing
6 care rendered ;

7 (2) Recognizing limits of knowledge and experience;

8 (3) Planning for the management of situations beyond the APRN's expertise;

9 (4) Consulting with or referring patients to other licensed health care providers as
10 appropriate.

11 **5-34-45. Licensure of APRNs. --** (a) An applicant for initial licensure to practice as an
12 APRN shall:

13 (1) Submit a completed written application and appropriate fees as established by the
14 BON;

15 (2) Hold a current RN license or privilege to practice and shall not hold an encumbered
16 license or privilege to practice as an RN in any state or territory ;

17 (3) Have completed an accredited graduate or post-graduate level APRN program in one
18 of the three roles (RNP, CRNA, or CNS) and at least one population focus;

19 (4) Be currently certified by a national certifying body recognized by the BON in the
20 APRN role and population foci appropriate to educational preparation;

21 (5) Report any criminal conviction, nolo contendere plea, Alford plea or other plea
22 arrangement in lieu of conviction;

23 (6) Have committed no acts or omissions that are grounds for disciplinary action as set
24 forth in this chapter; and

25 (7) Provide other evidence as required by regulation.

26 (b) The BON may issue an initial APRN license to clinical nurse specialists without a
27 certification exam when:

28 (1) A national certification exam does not exist for the current population foci; and

29 (2) The applicant has submitted a portfolio to the BON that includes proof of graduation,
30 course descriptions, official transcript that includes courses in pharmacology, pathophysiology
31 and physical assessment, letters of recommendation from his/her employer attesting to the CNS's
32 practice at the advanced practice level.

33 (c) After January 1, 2015, all clinical nurse specialists seeking initial licensure as a APRN
34 must meet all the criteria as stated in this chapter including national certification in a role and

1 population foci recognized by the BON.

2 (d) The BON may issue a license by endorsement to an APRN licensed under the laws of
3 another state if, in the opinion of the BON, the applicant meets the qualifications for licensure in
4 this jurisdiction. An applicant for APRN licensure by endorsement shall:

5 (1) Submit a completed written application and appropriate fees as established by the
6 BON;

7 (2) Hold a current license or privilege to practice as an RN and APRN in a state or
8 territory;

9 (3) Not have an encumbered license or privilege to practice in any state or territory;

10 (4) Have completed an accredited graduate or post-graduate level APRN program in one
11 of the three roles (CNP, CRNA or CNS) and at least one population focus or meets the standards
12 for grandfathering as described in this chapter;

13 (5) Be currently certified by a national certifying body recognized by the BON in the
14 APRN role and at least one population focus appropriate to educational preparation ;

15 (6) Meet continued competency requirements as set forth in BON regulations ;

16 (7) Report any conviction, nolo contendere plea, Alford plea or other plea arrangement in
17 lieu of conviction ;

18 (8) Have committed no acts or omissions, which are grounds for disciplinary action in
19 another jurisdiction; and

20 (9) Provide other evidence as required by the BON in its regulations.

21 (e) APRN licenses issued under this chapter shall be renewed every two (2) years
22 according to a schedule established by the BON. An applicant for APRN license renewal shall:

23 (1) Submit a renewal application as directed by the BON and remit the required fee as set
24 forth in regulation;

25 (2) Maintain national certification in the appropriate APRN role and at least one
26 population focus, authorized by licensure, through an ongoing recertification maintenance
27 program of a nationally recognized certifying body recognized by the BON; and

28 (3) Meet other requirements set forth in regulations.

29 (f) The BON may reactivate or reinstate an APRN license as set forth in BON regulation.

30 **5-34-46. Status of current licensees.** -- (a) Any person holding a license to practice
31 nursing as a certified nurse practitioner ,psychiatric clinical nurse specialists, certified registered
32 nurse anesthetist, as defined in this chapter and chapter 5-34.2, in this state that is valid upon
33 passage of this chapter shall be deemed to be licensed as an APRN, with his or her current
34 privileges and shall be eligible for renewal of such license as defined under the provisions of this

1 chapter and chapter 5-34-2

2 (b) Any person holding a valid license to practice nursing having graduated from an
3 accredited course of study, actively practicing in an advanced role, and holding a national
4 certification related to his or her current practice setting as of (effective date of this act), as
5 defined in chapters 5-35 or 5-34.2, shall be deemed to be eligible for to license as an APRN.

6 (c) After August 1, 2013, all new applicants for APRN licensure must meet the stipulated
7 licensure requirements as stated in this chapter.

8 **5-34-47. Titles and abbreviations. --** (a) Only those persons who hold a license or
9 privilege to practice as advanced practice registered nurses in this state shall have the right to use
10 the title "advanced practice registered nurse" and the roles of "certified registered nurse
11 anesthetist," "clinical nurse specialist" and "certified nurse practitioner;" and the abbreviations
12 "APRN," "CRNA," "CNS" and "CNP" respectively.

13 (b) The abbreviation for the APRN designation of a certified registered nurse anesthetist,
14 a clinical nurse specialist and for a certified nurse practitioner will be APRN, plus the role title,
15 i.e., CRNA, CNS, and CNP.

16 **5-34-48. APRN education programs. --** (a) The standards for the establishment and
17 outcomes of APRN education programs, including clinical learning experiences, and shall be set
18 by APRN national accrediting agencies recognized by the US Department of Education and the
19 Council for Higher Education Accreditation.

20 (b) Compliance with the standards for the APRN program will be evidenced by official
21 certification of accreditation by the appropriate national accrediting agency, a copy of such shall
22 be submitted to the Board of Nursing. The Board of Nursing will act as the sole custodian of
23 record for any and all documentation used to demonstrate such certification by the appropriate
24 national accrediting agency.

25 **5-34-49. Prescriptive authority. --** (a) The BON shall grant prescribing, ordering,
26 dispensing and furnishing authority .

27 (b) An APRN licensed by the BON may prescribe, order, procure, administer, dispense
28 and furnish over the counter, legend and controlled substances pursuant to applicable state and
29 federal laws, when the APRN has completed an educational program as described in this chapter
30 that includes courses in pathophysiology, pharmacology and physical assessment and is within
31 the APRN's role and population focus.

32 (c) Prescribing, ordering, dispensing and furnishing shall include the authority to:

33 (1) Diagnose, prescribe and institute therapy or referrals of patients to health care
34 agencies, health care providers and community resources;

1 (2) Prescribe, procure, administer, dispense and furnish pharmacological agents,
2 including over the counter, legend and controlled substances; and

3 (3) Plan and initiate a therapeutic regimen that includes ordering and prescribing non-
4 pharmacological interventions, including, but not limited to, durable medical equipment, medical
5 devices, nutrition, blood and blood products, and diagnostic and supportive services including,
6 but not limited to, home health care, hospice, and physical and occupational therapy.

7 (d) Prescriptive privileges for the certified nurse practitioner shall include all the
8 authority under the APRN license including:

9 (1) Prescription of legend medications and prescription of controlled substances from
10 schedules II, III, IV and V that are established in regulation; and

11 (2) May be certified to prescribe controlled substances from Schedule I.

12 (e) Prescriptive privileges for APRNs with the population focus of psychiatric/mental
13 health:

14 (1) Shall include prescription of certain psychotropic and certain legend medications,
15 controlled substances from Schedule II classified as stimulants, and controlled substances from
16 Schedule III and IV that are prescribed in regulations;

17 (2) Shall not include controlled substances from Schedules I, II, and V and those certain
18 legend medications not included in subdivision (1) of this subsection.

19 (f) CRNAs may be granted prescriptive privileges in accordance with the provisions of
20 chapter 5-34.2

21 (g) Prescriptive privileges for certified clinical nurse specialist shall include:

22 (1) Diagnosing, prescribing and instituting therapy or referrals of patients to health care
23 agencies, health care providers and community resources; and

24 (2) Planning and initiating a therapeutic regimen that includes ordering and prescribing
25 non-pharmacological interventions, including, but not limited to, durable medical equipment,
26 medical devices, nutrition, blood and blood products, and diagnostic and supportive services
27 including, but not limited to, home health care, hospice, and physical and occupational therapy;
28 and

29 (3) Prescription of over the counter medications within their population foci.

30 SECTION 3. Sections 5-34-35, 5-34-36, 5-34-39, 5-34-40.1, 5-34-40.2, 5-34-40.3, 5-34-
31 40.4 and 5-34-41 of the General Laws in Chapter 5-34 entitled "Nurses" are hereby repealed.

32 ~~**5-34-35. Qualifications of a certified registered nurse practitioner applicant. -- (a)**~~
33 ~~**An applicant for licensure to practice as a certified registered nurse practitioner shall submit to**~~
34 ~~**the board of nurse registration and nursing education written evidence on forms furnished by the**~~

1 division of professional regulation, verified by oath, that:

2 ~~(1) The applicant is a registered nurse who has completed an accredited educational~~
3 ~~program resulting in a master's degree in nursing and/or an approved nurse practitioner course of~~
4 ~~study. This curriculum must include both a didactic component and supervised clinical~~
5 ~~experience. Effective January 1, 2004, all applicants for initial licensure must complete an~~
6 ~~accredited educational program resulting in a master's degree with a major in nursing.~~

7 ~~(2) The applicant passed a national qualifying examination recognized by the board of~~
8 ~~nurse registration and nursing education.~~

9 ~~(b) A license to practice as a certified registered nurse practitioner may be issued to an~~
10 ~~applicant who is licensed by examination or endorsement as a certified registered nurse~~
11 ~~practitioner under the laws of another state or territory if, in the opinion of the board, the~~
12 ~~applicant meets the qualifications required of certified registered nurse practitioners in this state.~~

13 ~~**5-34-36. Licensing of certified registered nurse practitioners.** -- A license to practice~~
14 ~~as a certified nurse practitioner shall be issued if the applicant meets the qualifications for the~~
15 ~~certified registered nurse practitioner (R.N.P.). Persons who meet the qualifications of a certified~~
16 ~~registered nurse practitioner, as stated in section 5-34-35, and are currently licensed as certified~~
17 ~~registered nurse practitioners by examination or endorsement under the laws of another state of~~
18 ~~the United States and/or the District of Columbia shall be allowed to practice as certified~~
19 ~~registered nurse practitioners in this state for a period not to exceed ninety (90) days from the date~~
20 ~~of clearance by the board of nurse registration and nursing education of the department of health,~~
21 ~~provided that they are licensed in this state within ninety (90) days. The original privilege to work~~
22 ~~ninety (90) days from the date of clearance shall not be extended or renewed.~~

23 ~~**5-34-39. Process for prescriptive privileges of certified registered nurse practitioner.**~~

24 ~~--(a) Prescriptive privileges for the certified registered nurse practitioner:~~

25 ~~(1) Shall be granted under the governance and supervision of the department, board of~~
26 ~~nurse registration and nurse education; and~~

27 ~~(2) Shall include prescription of legend medications and prescription of controlled~~
28 ~~substances from schedules II, III, IV and V that are established in regulation; and~~

29 ~~(3) Must not include controlled substances from Schedule I.~~

30 ~~(b) To qualify for prescriptive privileges an applicant must submit on forms provided by~~
31 ~~the board of nurse registration and nursing education, verified by oath, that the applicant has~~
32 ~~evidence of completion of thirty (30) hours of education in pharmacology within the three (3)~~
33 ~~year period immediately prior to date of application. To maintain prescriptive privileges the~~
34 ~~certified registered nurse practitioner (R.N.P.) must submit upon request of the board of nurse~~

1 ~~registration and nursing education evidence of thirty (30) hours continuing education in~~
2 ~~pharmacology every six (6) years.~~

3 ~~**5-34-40.1. Qualifications of a psychiatric and mental health clinical nurse specialist**~~

4 ~~**applicant.** -- (a) An applicant for licensure as a psychiatric and mental health clinical nurse~~
5 ~~specialist shall submit to the board written evidence on forms furnished by the department of~~
6 ~~health, verified by oath, that the applicant:~~

7 ~~(1) Is a registered nurse who has completed an accredited educational program resulting~~
8 ~~in a master's degree in psychiatric and mental health nursing; and/or~~

9 ~~(2) Passed a national qualifying examination recognized by the board.~~

10 ~~(b) All persons who are engaged in the practice of a psychiatric and mental health~~
11 ~~clinical nurse specialist on July 1, 2003, who meet the definition in section 5-34-3(i) may be~~
12 ~~considered to have met the qualifications for licensure providing they have three (3) years~~
13 ~~experience acceptable to the board between January 1, 1997, and January 1, 2003. After January~~
14 ~~1, 2004, all applicants for initial licensure must complete an accredited educational program~~
15 ~~resulting in a master's degree in nursing and must pass a national qualifying examination~~
16 ~~recognized by the board.~~

17 ~~**5-34-40.2. Licensing of psychiatric and mental health clinical nurse specialists.** -- A~~

18 ~~license to practice as a psychiatric clinical nurse specialist shall be issued if the applicant meets~~
19 ~~the qualifications for the psychiatric and mental health clinical nurse specialist. Persons who meet~~
20 ~~the qualifications of a psychiatric and mental health clinical nurse specialist, as stated in section~~
21 ~~5-34-40.1, and are currently licensed as psychiatric and mental health clinical nurse specialists by~~
22 ~~examination or endorsement under the laws of another state or territory of the United States~~
23 ~~and/or the District of Columbia shall be allowed to practice as psychiatric and mental health~~
24 ~~clinical nurse specialists in this state for a period not to exceed ninety (90) days from the date of~~
25 ~~clearance by the board of nurse registration and nursing education of the Rhode Island department~~
26 ~~of health, provided that they are licensed in this state within ninety (90) days. The original~~
27 ~~privilege to work ninety (90) days from the date of clearance shall not be extended or renewed.~~

28 ~~**5-34-40.3. Application fee for psychiatric and mental health clinical nurse**~~

29 ~~**specialists.** -- The initial application fee for licensure as a psychiatric and mental health clinical~~
30 ~~nurse specialist, the renewal fee for a psychiatric and mental health clinical nurse specialist, and~~
31 ~~the application fee for prescriptive privileges shall be as set forth in section 23-1-54.~~

32 ~~**5-34-40.4. Right to use psychiatric and mental health clinical nurse specialist title.** --~~

33 ~~Any person who holds a license to practice as a psychiatric and mental health clinical nurse~~
34 ~~specialist in this state has the right to use the title psychiatric and mental health clinical nurse~~

1 ~~specialist and use the abbreviation "P.C.N.S." No other person may assume that title or use that~~
2 ~~abbreviation or any other words or letters, signs, figures, or devices to indicate that the person~~
3 ~~using it is a psychiatric and mental health clinical nurse specialist.~~

4 ~~**5-34-41. Process for prescriptive privileges of psychiatric and mental health clinical**~~

5 ~~**nurse specialist.** -- (a) Prescriptive privileges for the psychiatric and mental health clinical nurse~~
6 ~~specialist:~~

7 ~~(1) Shall be granted under the governance and supervision of the division of professional~~
8 ~~regulations, board of nurse registration and nurse education; and~~

9 ~~(2) Shall include prescription of certain psychotropic and certain legend medications,~~
10 ~~controlled substances from Schedule II classified as stimulants, and controlled substances from~~
11 ~~Schedule IV, that are prescribed in regulations;~~

12 ~~(3) Shall not include controlled substances from Schedules I, II, III and V and those~~
13 ~~certain legend medications not included in subdivision (2) of this subsection; and~~

14 ~~(4) Shall be granted for psychiatric and mental health clinical nurse specialists who have~~
15 ~~a master's degree in nursing.~~

16 ~~(b) A psychiatric and mental health clinical nurse specialist as stated in section 5-34-3~~
17 ~~shall be permitted to prescribe in accordance with annually updated guidelines, written in~~
18 ~~collaboration with the medical director or physician consultant of their individual establishments.~~

19 ~~(c) A psychiatric and mental health clinical nurse specialist in independent practice does~~
20 ~~not have prescriptive privileges.~~

21 ~~(d) To qualify for prescriptive privileges a psychiatric and mental health clinical nurse~~
22 ~~specialist, as stated in section 5-34-3, shall submit on forms provided by the board of nurse~~
23 ~~registration and nursing education, verified by oath, that the applicant has evidence of completion~~
24 ~~of thirty (30) hours of education in pharmacology of psychotropic drugs and certain legend~~
25 ~~medications within the three (3) year period immediately prior to date of application. To maintain~~
26 ~~prescriptive privileges the psychiatric and mental health clinical nurse specialist must submit~~
27 ~~upon request of the board of nurse registration and nursing education evidence of thirty (30)~~
28 ~~hours continuing education in pharmacology of psychotropic drugs every six (6) years.~~

29 SECTION 4. Sections 5-34.2-2 and 5-34.2-3 of the General Laws in Chapter 5-34.2
30 entitled "Nurse Anesthetists" are hereby amended to read as follows:

31 ~~**5-34.2-2. Definitions.** -- (a) "Board" means the board of nurse registration and nurse~~
32 ~~education established in section 5-34-4.~~

33 (b) "Certified registered nurse anesthetist" (CRNA) means a registered nurse who has
34 successfully met the requirements stated in this chapter.

1 (c) "Practice of certified registered nurse anesthesia" means providing certain health care
2 services ~~under the supervision of~~ in collaboration with anesthesiologists, licensed physicians, or
3 licensed dentists in accordance with section 5-31.1-1(16) which requires substantial specialized
4 knowledge, judgment and skill related to the administration of anesthesia, including preoperative
5 and postoperative assessment of patients; administering anesthetics; monitoring patients during
6 anesthesia; management of fluid in intravenous therapy and management of respiratory care. It
7 also includes, in connection with the immediate perioperative care of a patient, the ability to issue
8 a medication order for drugs or medications to be administered by a licensed, certified, or
9 registered health care provider; to order and evaluate laboratory and diagnostic test results and
10 perform point of care testing that the CRNA is qualified to perform; and order and evaluate
11 radiographic imaging studies that the CRNA is qualified to order and interpret. For the purposes
12 of this section, the immediate perioperative care of a patient shall be defined as the period
13 commencing on the day prior to surgery and ending upon discharge of the patient from post-
14 anesthesia care.

15 **5-34.2-3. Requirements for licensure of the nurse anesthetist.** -- Requirements for
16 licensure as a nurse anesthetist shall consist of the following:

- 17 (1) Current licensure as a professional registered nurse in the state; and
- 18 (2) Graduation from an educational program accredited by the ~~American Association of~~
19 ~~Nurse Anesthetists~~ council on accreditation of nurse anesthesia educational programs or its
20 predecessors or successors, and which has as its objective preparation of nurses to practice nurse
21 anesthesia; and
- 22 (3) Initial certification by the American Association of Nurse Anesthetists council on
23 certification of nurse anesthetists and recertification, as applicable by the American Association
24 of Nurse Anesthetists council on recertification of nurse anesthetists or their predecessors or
25 successors.
- 26 (4) ~~The requirements stated in subdivision (3) of this section do not apply to a graduate~~
27 ~~nurse anesthetist awaiting initial certification results, providing that initial certification is~~
28 ~~accomplished within ninety (90) days upon completion of an accredited nurse anesthesia~~
29 ~~educational program.~~
- 30 (5) The requirements stated in subdivisions (2) and (3) of this section do not apply to a
31 professional registered nurse who practices nursing in accordance with the provisions of the
32 Nurse Practice Act, chapter 34 of this title, and who is enrolled as a bona fide student in an
33 accredited nurse anesthesia program providing nurse anesthesia under the supervision of a
34 certified registered nurse anesthetist and anesthesiologist.

1 (6) Beginning July 21, 1992, all nurse anesthetists shall be afforded the same period of
2 time to become licensed. Notwithstanding the provisions of this section, no person practicing as a
3 nurse anesthetist in Rhode Island on July 1, 1991, shall be required to obtain proper certification
4 under this chapter. However, as required by subdivision (3) of this section, persons who become
5 certified under this section shall become recertified as applicable.

6 SECTION 5. This act shall take effect upon passage.

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LC01366
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO BUSINESSES AND PROFESSIONS -- NURSES

- 1 This act would amend and greatly expand the role and duties of certain types of nurses in
- 2 the health care profession, especially the role and authority of advance practice registered nurses.
- 3 This act would take effect upon passage.

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LC01366
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