

Additional Information for LCmihp

- Word "impairment" needs to be struck in title (2nd line), p. 2 catchline and first sentence. Reason: the effort is to keep all assistance programs in positive sense - so just call them assistance programs..
- P. 3 - in new language under sub (d) - strike within a 3-year period and insert: "during that person's participation under contract in the assistance program for a specified period" (and make readability changes). This would make the 3-strikes reflect the contract period and not be shorter (or longer). The language for new subsection (d) would then read:
 - (d) take disciplinary action against the license of a person in an assistance program under chapters 3, 4, 7, and 8 if during that person's participation under contract in the specified period the person has three separate occurrences in which the person has returned to use of a prohibited or proscribed substance;...
- If the committee chooses to make all the medical assistance programs sound the same, then changes would be needed to the Board of Nursing program description in 37-8-202:

37-8-202. Organization -- meetings -- powers and duties. (1) The board shall:

 - (a) meet annually and elect from among the members a president and a secretary;
 - (b) hold other meetings when necessary to transact its business;
 - (c) prescribe standards for schools preparing persons for registration and licensure under this chapter;
 - (d) provide for surveys of schools at times the board considers necessary;
 - (e) approve programs that meet the requirements of this chapter and of the board;
 - (f) conduct hearings on charges that may call for discipline of a licensee, revocation of a license, or removal of schools of nursing from the approved list;
 - (g) cause the prosecution of persons violating this chapter. The board may incur necessary expenses for prosecutions.
 - (h) adopt rules regarding authorization for prescriptive authority of advanced practice registered nurses. If considered appropriate for an advanced practice registered nurse who applies to the board for authorization, prescriptive authority must be granted.
 - (i) establish a program to assist licensed nurses who are found to be physically or mentally impaired by ~~mental illness~~, habitual intemperance; or the excessive use of ~~narcotic~~ addictive drugs, alcohol, or any other drug or substance or by mental or chronic physical illness. The program must provide for assistance to licensees in seeking treatment for mental illness or substance abuse and monitor their efforts toward rehabilitation. The board shall ensure that a licensee who is required or volunteers to participate

in the program as a condition of continued licensure or reinstatement of licensure must be allowed to enroll in a qualified program within this state and may not require a licensee to enroll in a qualified program outside the state unless the board finds that there is no qualified program in this state. For purposes of funding this program, the board shall adjust the renewal fee to be commensurate with the cost of the program.

(2) The board may:

(a) participate in and pay fees to a national organization of state boards of nursing to ensure interstate endorsement of licenses;

(b) define the educational requirements and other qualifications applicable to recognition of advanced practice registered nurses.

Advanced practice registered nurses are nurses who must have additional professional education beyond the basic nursing degree required of a registered nurse. Additional education must be obtained in courses offered in a university setting or the equivalent. The applicant must be certified or in the process of being certified by a certifying body for advanced practice registered nurses. Advanced practice registered nurses include nurse practitioners, nurse-midwives, nurse anesthetists, and clinical nurse specialists.

(c) establish qualifications for licensure of medication aides, including but not limited to educational requirements. The board may define levels of licensure of medication aides consistent with educational qualifications, responsibilities, and the level of acuity of the medication aides' patients. The board may limit the type of drugs that are allowed to be administered and the method of administration.

(d) adopt rules for delegation of nursing tasks by licensed nurses to unlicensed persons;

(e) adopt rules necessary to administer this chapter; and

(f) fund additional staff, hired by the department, to administer the provisions of this chapter.