

## CHAPTER 840

## H.B. No. 756

## AN ACT

relating to the regulation of the practice of professional nursing.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Article 4525a, Revised Statutes, is amended by amending Sections 1, 2, 3, and 4 and adding Sections 1A, 6A, and 12A to read as follows:

Sec. 1. Each registered nurse having reasonable cause to suspect that a registered nurse has exposed or is likely to expose a patient or other person unnecessarily to a risk of harm, *has engaged in* [~~because of~~] unprofessional conduct, *has failed* [~~failure~~] to care adequately for a patient, *or has failed* [~~failure~~] to conform to the minimum standards of acceptable professional nursing practice, *or that a registered nurse's practice is or is likely to be impaired by chemical dependency* [~~impaired status~~] shall report in a signed, written report to the board the *identity* [~~name~~] of the nurse [~~committing the violation or suspected violation~~] and *such additional* [~~any other pertinent~~] information [~~within the nurse's knowledge~~] as the board may require. [~~A registered nurse without personal knowledge of the nurse's actions is not required to report under this section if she or he has reasonable cause to believe the nurse has already been reported.~~]

Sec. 1A. *A professional nursing peer review committee operating under Article 4525b, Revised Statutes, that finds a registered nurse exposed or is likely to expose a patient or other person unnecessarily to a risk of harm, engaged in unprofessional conduct, failed to care adequately for a patient, or failed to conform to the minimum standards of acceptable professional nursing practice, or that a registered nurse's practice is or is likely to be impaired by chemical dependency shall report in a signed, written report to the board the identity of the nurse and such additional information as the board may require. The report shall include what corrective action was taken against the nurse and whether the committee recommends the board take formal disciplinary action against the nurse.*

Sec. 2. (a) Each hospital, health science center, nursing home, home health agency, other health-care facility, state agency, political subdivision, school of professional nursing, temporary nursing service, or person that employs, hires, or contracts for the services of registered nurses that terminates, suspends *for more than 7 days*, or takes other substantive disciplinary action as defined by the board against a registered nurse because *the registered nurse has exposed or is likely to expose a patient or other person* [~~was exposed or is likely to be exposed~~] unnecessarily to a risk of harm, *has engaged in* [~~because of~~] unprofessional conduct, *has failed* [~~failure~~] to care adequately for a patient, *or has failed* [~~failure~~] to conform to the minimum standards of acceptable professional nursing practice[,], *or because the registered*

*nurse's practice is or is likely to be impaired by chemical dependency* [~~impaired status~~] shall report in writing to the board the *identity* [~~name~~] of the nurse and such *additional information as the board may require* [~~other pertinent information within the knowledge of the facility, agency, school, or person~~].

(b) Each hospital, nursing home, health science center, home health agency, other health-care facility, state agency, political subdivision, school of professional nursing, temporary nursing service, or person that regularly employs, hires, or otherwise contracts for the services of 10 or more registered nurses shall develop a written plan for identifying and reporting registered nurses in its service who expose or are likely to expose patients or other persons unnecessarily to a risk of harm, *engage in* [~~because of~~] unprofessional conduct, *fail* [~~failure~~] to care adequately for a patient, or *fail* [~~failure~~] to conform to the minimum standards of acceptable professional nursing practice, or *whose practice is or is likely to be impaired by chemical dependency* [~~impaired status~~]. The plan must include an appropriate process for the review of any incident reportable under this section by a professional nursing peer review committee established and operated under Article 4525b, Revised Statutes, and for the affected nurse to submit rebuttal information to that committee. *The board shall enter into memoranda of understanding with any state agency that licenses, registers, or certifies health-care facilities or agencies or surveys such facilities or agencies with respect to professional nursing care as to how that state agency can promote compliance with this subsection.*

(c) The requirement that a report to the board be reviewed by a professional nursing peer review committee applies only to a required report, and review by the peer review committee is only advisory. The requirement may not be construed as subjecting an employer's or other person's administrative decision to discipline a registered nurse to the peer review process or as preventing an employer or other person from taking disciplinary action before review by the peer review committee is conducted. The review by the peer review committee established under Subsection (b) of this section must include a determination as to whether or not the nurse undergoing review [~~engaged in conduct that~~] exposed or was likely to expose a patient or other person unnecessarily to risk of harm, *engaged in* [~~because of~~] unprofessional conduct, *failed* [~~failure~~] to care adequately for a patient, or *failed* [~~failure~~] to conform to the minimum standards of acceptable professional nursing practice, or *as to whether the registered nurse's practice is or is likely to be impaired by chemical dependency* [~~impaired status~~]. The peer review committee's determination shall be included in the report made to the board under Subsection (a) of this section.

Sec. 3. Each professional association of registered nurses or any organization that conducts a certification or accreditation program for registered nurses that expels, decertifies, or takes any other substantive disciplinary action, as defined by the board, against a registered nurse as a result of the registered nurse's failure to conform to the minimum standards of acceptable professional nursing practice shall report in writing to the board the *identity of the nurse* [~~nurse's name~~] and such *additional information* [~~other pertinent information within the organization's knowledge~~] as the board may require.

Sec. 4. Each state agency that *licenses, registers or certifies* [~~surveys~~] hospitals, nursing homes, health science centers, home health agencies, or other health-care facilities or agencies or *surveys such facilities or agencies* with respect to quality of professional nursing care provided, unless otherwise expressly prohibited by state or federal law, shall report in writing to the board any registered nurse that it has reason to believe exposed or is likely to expose patients or other persons unnecessarily to a risk of harm, *engaged in* [~~because of~~] unprofessional conduct, *failed* [~~failure~~] to care adequately for a patient, or *failed* [~~failure~~] to conform to the minimum standards of acceptable professional nursing practice, or *that the registered nurse's practice is or is likely to be impaired by chemical dependency* [~~impaired status~~].

Sec. 6A. (a) *The board by rule shall adopt rules governing required reporting under this article to minimize:*

- (1) *unnecessary duplicative reporting; and*
- (2) *the reporting of minor incidents.*

(b) *In this section, "minor incident" means conduct that does not indicate the nurse's continuing to practice professional nursing poses a risk of harm to a client or other person.*

*Sec. 12A. (a) Except as provided by Subsections (b) and (c) of this section, a report under this article shall be handled as a complaint under Section (b), Article 4525, Revised Statutes.*

*(b) If the board determines that the conduct reported does not indicate the reported nurse's continuing to practice professional nursing poses a risk of harm to clients or other persons, the board may, with the written consent of the reported nurse and the person making the report, elect not to proceed with an investigation or to file formal charges. In such event, the board shall keep a record of the report and shall investigate if it receives two or more reports involving separate incidents on a nurse in any five-year period.*

*(c) The board is not required to investigate a report filed by an insurer under Section 5 of this article, but shall maintain a record of the report and investigate if it receives two or more reports involving separate incidents on a nurse in any five-year period.*

SECTION 2. Section 11(c), Article 4525a, Revised Statutes, is amended to read as follows:

(c) A person who sues under this section has the burden of proof, but in the event of a determination by either the board or a court of competent jurisdiction that the report or abstract made the subject of the cause of action was authorized or required under Section 1, 1A, 2, 3, 4, 5, 6, 7, or 8 of this article and that it was made without malice, it is a rebuttable presumption that a person's employment was suspended or terminated for reporting under this article if the person is suspended or terminated within 60 days after making the report.

SECTION 3. Sections 12(a) and (b), Article 4525a, Revised Statutes, are amended to read as follows:

(a) The board shall notify each registered nurse who is reported to the board under Section 1, 1A, 2, 3, 4, or 5 of this article of the filing of the report unless doing so would jeopardize an active investigation.

(b) The registered nurse or the nurse's authorized representative is entitled on request to review any report submitted to the board under Section 1, 1A, 2, 3, 4, or 5 of this article unless doing so would jeopardize an active investigation. The identity of the individual making or signing the report may not be revealed.

SECTION 4. Section 1(1), Article 4525b, Revised Statutes, is amended to read as follows:

(1) "Professional nursing peer review committee" means a committee [~~composed of at least a majority of registered nurses~~] established under the authority of the governing body of a national, state, or local professional nursing association, a school of professional nursing, the nursing staff of a hospital, health science center, nursing home, home health agency, temporary nursing service, or other health-care facility, or state agency or political subdivision for the purpose of conducting peer review. A professional nursing peer review committee includes the employees and agents of the committee, including assistants, investigators, intervenors, attorneys, and any other person or organization that is employed by or serves the committee in any capacity.

SECTION 5. Article 4525b, Revised Statutes, is amended by adding Sections 1A and 1B to read as follows:

*Sec. 1A. A professional nursing peer review committee must:*

- (1) have registered nurses as three-fourths of its members;*
- (2) have only registered nurses as voting members;*
- (3) to the extent feasible, consist of at least one registered nurse who has a working familiarity with the area of nursing practice in which the nurse being reviewed practices;*
- (4) afford the nurse being reviewed minimum due process, including notice and opportunity for hearing; and*
- (5) afford the nurse the opportunity to file a rebuttal statement as provided by Section 3(c) of this article.*

*Sec. 1B. A registered nurse who, as a temporary agency nurse, faculty member, or similar personnel, practices professional nursing for a person, educational institution, or health-care facility, agency, or entity other than the one that employs or directly compensates the nurse shall be subject to peer review by both. For the purposes of exchange of information, the peer review committee reviewing the nurse's conduct is considered as*

established under the authority of both. The two entities may contract with respect to which entity will conduct peer review of the nurse.

SECTION 6. Sections 3(b) and (d), Article 4525b, Revised Statutes, are amended to read as follows:

(b) A professional nursing peer review committee may disclose written or oral communications made to the committee and the records and proceedings of the committee to:

- (1) the state board of registration or licensure of any state;
- (2) a law enforcement authority investigating a criminal matter;
- (3) ~~(1)~~ the association, school, agency, facility, or other organization under whose authority the committee is established;
- (4) ~~(2)~~ another professional nursing peer review committee;
- (5) ~~(3)~~ a peer assistance program approved by the board under Chapter 467, Health and Safety Code;
- (6) ~~(4)~~ appropriate state or federal agencies or accrediting organizations which accredit health-care facilities or schools of nursing or which survey facilities for quality of care; or
- (7) ~~(5)~~ persons engaged in bona fide research, if all individual-identifying information is deleted.

(d) If a committee discloses information ~~[to a nurse]~~ under this section, the committee has not by that action waived the privilege of nondisclosure of committee information and proceedings.

SECTION 7. Section (c), Article 4523, Revised Statutes, is amended to read as follows:

(c) To allow a nurse to satisfy a requirement imposed by the board ~~[under Article 4526, Revised Statutes,]~~ to renew ~~an expired~~ [a] license ~~[expired for two years or more or a requirement imposed under Article 4526b, Revised Statutes,]~~, to reactivate ~~an inactive~~ [a nursing] license ~~[from inactive status,]~~ or to reissue a suspended, revoked, or surrendered license, the board may issue a temporary permit to practice professional nursing for the limited purpose of satisfying the requirement. A permit issued under this subsection expires on the earlier of the receipt of a permanent license or six months from the date of issuance.

SECTION 8. Subsections (a), (b), and (c), Article 4525, Revised Statutes, are amended to read as follows:

(a) The board ~~[of nurse examiners]~~ may refuse to admit persons to the licensing examination ~~[its examinations,]~~ ~~[may refuse]~~ to issue or renew a license, ~~[or certificate of registration]~~ or ~~[to issue a certificate of re-registration, may refuse]~~ to issue a temporary permit for any of the reasons for which the board may take disciplinary action against a registered nurse under Subsection (b) of this article. If the board proposes to refuse to admit a person to the examination, to issue or renew a license, or to issue a temporary permit, the board shall notify the person of the basis for its decision. A person who is refused admittance to the examination or the renewal or issuance of a license or temporary permit is entitled to a hearing before an administrative law judge of the State Office of Administrative Hearings.

(b) The board may take disciplinary action against a registered nurse~~[, may issue a warning or reprimand with or without stipulations, may suspend for any period not to exceed 5 years, or may revoke the license or certificate of any practitioner of professional nursing,]~~ for any of the following reasons:

(1) The violation of any of the provisions of this law, any rule, regulation not inconsistent with this law, or order issued hereunder.

(2) *Fraud* ~~[Is guilty of fraud]~~ or deceit in procuring or attempting to procure a license to practice professional nursing.

(3) Conviction of a crime of the grade of felony, or a crime of lesser grade which involves moral turpitude, or any conduct resulting in the revocation of probation imposed pursuant to such conviction.

(4) The use of any nursing license, certificate, diploma or permit, or transcript of such license, certificate, diploma or permit, which has been fraudulently purchased, issued, counterfeited, or materially altered.

(5) The impersonation of, or the acting as a proxy for, another in any examination required by law to obtain a license to practice professional nursing.

(6) Aiding or abetting, directly or indirectly, or in any manner whatsoever, any unlicensed person in connection with the unauthorized practice of professional nursing.

(7) Revocation, suspension, or denial of or any other action relating to the license to practice nursing in another jurisdiction. Certified copy of the order of denial, suspension, revocation, or any other action shall be conclusive evidence thereof.

(8) Intemperate use of alcohol or drugs that the board determines endangers or could endanger patients. Intemperate use includes but is not limited to practicing professional nursing or being on duty or call while under the influence of alcohol or drugs.

(9) Unprofessional or dishonorable conduct which, in the opinion of the board, is likely to deceive, defraud, or injure patients or the public.

(10) Adjudication of mental incompetency.

(11) Lack of fitness to practice by reason of mental or physical health that could result in injury to patients or the public.

(12) Failing to care adequately for patients or to conform to the minimum standards of acceptable professional nursing practice that, in the opinion of the board, exposes a patient or other person unnecessarily to risk of harm.

~~[(b) Proceedings under this article shall be begun by filing a written complaint with the board of nurse examiners. Such complaint may be made by any person or filed by the board on its own initiative. Unless it would jeopardize an investigation, the board shall notify the registered nurse that a complaint has been filed and the nature of the complaint. An information file about each complaint filed relating to a licensee shall be maintained by the board. If a written complaint is filed with the board relating to a licensee, the board at least as frequently as quarterly and until final disposition of the complaint, shall notify the party that filed the complaint of the status of the file unless notice would jeopardize an investigation. The board shall make a timely and appropriate preliminary investigation of the complaint and may issue a warning or reprimand to the person against whom the complaint was filed. If the investigation reveals probable cause to take further disciplinary action, the board shall file formal charges against the registered nurse stating the provisions of this chapter or the board's rules that are alleged to have been violated and a brief description of the acts or omissions that constituted the violation. If the board proposes to refuse to admit a person to its examination, to refuse to issue a temporary permit, license, certificate of registration, certificate of re-registration, or to suspend or revoke a person's permit, license, or certificate, the person is entitled to a hearing before the board. The hearing may be before a subcommittee of the board, a majority of which is composed of registered nurses. The person shall on request be granted a hearing before the entire board. Proceedings for a disciplinary action are governed by the Administrative Procedure and Texas Register Act (Article 6252-13a, Vernon's Texas Civil Statutes). The board may assess a person found to have violated any provision of this chapter the administrative costs of conducting a hearing to determine that violation. If a licensed professional nurse voluntarily surrenders his or her license to the board and executes a sworn statement that he or she no longer desires to be licensed, the board may revoke his or her license without the necessity of formal charges, notice, or opportunity of hearing.]~~

~~(c)(1) Any person against whom the board has taken adverse action under this chapter [whose license or certificate to practice professional nursing has been revoked or suspended by the board or who has been otherwise disciplined by the board] may take an appeal to any of the district courts in the county of residence or in Travis County, but the decision of the board shall not be enjoined or stayed except on application to such district courts after notice to the board.~~

(2) Upon application the board may reissue a license or certificate to practice professional nursing to a person whose license has been revoked, [or] suspended, or surrendered, but such application, in case of revocation, shall not be made prior to one year after the revocation was issued and shall be made in such manner and form as the board may require. *At the time the board denies an application for reinstatement, it may set a reasonable period that must lapse before the applicant may reapply for reinstatement.*

SECTION 9. Chapter 7, Title 71, Revised Statutes, is amended by adding Articles 4525.1–4525.6 to read as follows:

**Art. 4525.1. PENALTIES AND SANCTIONS.** (a) *If the board finds a person has committed any act set forth in Subsection (b), Article 4525, Revised Statutes, or has violated any provision of this chapter or a rule or order of the board, it shall enter an order imposing one or more of the following:*

- (1) *deny the person's application for a license, license renewal, or temporary permit;*
- (2) *issue a written warning;*
- (3) *administer a public reprimand;*
- (4) *limit, or restrict the registered nurse's license, including limiting the registered nurse's practice to, or excluding it from, one or more specified activities of professional nursing or stipulating periodic board review;*
- (5) *suspend the registered nurse's license;*
- (6) *revoke the registered nurse's license;*
- (7) *require the registered nurse to submit to care, counseling, or treatment of health providers designated by the board as a condition for the issuance or renewal of a license;*
- (8) *require the registered nurse to participate in a program of education or counseling prescribed by the board;*
- (9) *require the registered nurse to practice under the direction of a registered nurse designated by the board for a specified period of time;*
- (10) *require the registered nurse to perform public service considered appropriate by the board; or*
- (11) *assess a monetary fine.*

(b) *The board may probate any penalty imposed on the registered nurse.*

(c) *The board in its discretion may accept the voluntary surrender of a license. The board may not reinstate a surrendered license unless it determines the registered nurse is competent to resume practice.*

(d) *When the board suspends, revokes, or accepts surrender of a license, it may impose conditions for reinstatement that the person must satisfy before the board may issue an unrestricted license.*

(e) *The schedule of sanctions adopted by the board by rule shall be used by the State Office of Administrative Hearings for any sanction imposed as the result of a hearing conducted by that office.*

**Art. 4525.2. COMPLAINT AND INVESTIGATION.** (a) *Any person may file a complaint against a registered nurse with the board, or the board may file a complaint on its own initiative. The complaint shall be in writing and signed by the complainant.*

(b) *Except as otherwise provided by this article, all investigations shall be conducted by the board or persons authorized by the board to conduct them. Each complaint against a registered nurse that requires a determination of professional nursing competency shall be reviewed by a board member, consultant, or employee with professional nursing background considered sufficient by the board.*

(c) *On the filing of a complaint, the board may conduct a preliminary investigation into the identity of the person named or described in the complaint. After the preliminary investigation, unless it would jeopardize an investigation, the board shall notify the registered nurse that a complaint has been filed and the nature of the complaint. The board shall make an initial investigation of the complaint to determine if formal charges should be filed charging the registered nurse with having committed an act or acts prohibited by Subsection (b), Article 4525, Revised Statutes, or that violate a statute, board rule, or board order. The first consideration of the board shall be whether the registered nurse's continuing to practice professional nursing poses a risk of harm to clients or other persons.*

**Art. 4525.3. AGREED DISPOSITION.** (a) *The board may, unless precluded by law or this chapter, make a disposition of any complaint by stipulation, agreed settlement, agreed order, or dismissal.*

(b) An agreed disposition is considered a disciplinary order for purposes of reporting under this chapter and of administrative hearings and proceedings by state and federal regulatory agencies regarding the practice of professional nursing. An agreed order is a public record. In civil or criminal litigation, an agreed disposition is a settlement agreement under Rule 408, Texas Rules of Civil Evidence, and Rule 408, Texas Rules of Criminal Evidence.

(c) This article does not apply to a licensee who has previously entered into an agreed disposition with the board of a different disciplinary matter or whose license the board is seeking to revoke.

**Art. 4525.4. RIGHTS OF REGISTERED NURSE.** (a) Except in the case of a temporary suspension authorized under this chapter or action taken in accordance with the terms of an agreement between the board and a licensee, a revocation, suspension, or other disciplinary action relating to a license is not effective unless, before board proceedings are instituted:

(1) the board has served notice to the registered nurse of the facts or conduct alleged to warrant the intended action; and

(2) the registered nurse was given an opportunity to show compliance with all requirements of law for the retention of the license whether in writing or through informal meeting.

(b) If an informal meeting is held, any board member, staff member, or representative of the board in attendance at the meeting shall be considered to have participated in the hearing of the case for the purposes of *ex parte* communications under Section 17 of the Administrative Procedure and Texas Register Act (Article 6252-13a, Vernon's Texas Civil Statutes).

**Art. 4525.5. INITIATION OF FORMAL CHARGES.** (a) If the board's initial investigation reveals probable cause that the registered nurse committed an act or acts prohibited by Subsection (b), Article 4525, Revised Statutes, or that violate a statute, board rule, or board order, proceedings shall be initiated against the registered nurse unless there is an agreed disposition of the complaint under Article 4525.3, Revised Statutes. Proceedings shall be initiated by the board or its duly authorized representative by filing formal charges against the registered nurse. A copy of the formal charges shall be served on the registered nurse or the nurse's counsel of record.

(b) Formal charges shall be in writing and shall allege with reasonable certainty the specific act or acts relied on by the board to constitute a violation of a specific statute, board rule, or board order. The formal charges shall be specific enough to enable a person of common understanding to know what is meant by the formal charges and shall contain a degree of certainty that will give the person who is the subject of the formal charges notice of the particular act or acts alleged to be a violation of a specific statute, board rule, or board order.

(c) The board shall adopt reasonable rules to promote discovery by all parties to contested cases.

**Art. 4525.6. HEARINGS.** (a) The board by rule shall adopt procedures governing formal disposition of a contested case under the Administrative Procedure and Texas Register Act (Article 6252-13a, Vernon's Texas Civil Statutes). A formal hearing shall be conducted by the State Office of Administrative Hearings.

(b) Not later than the 30th day after receiving a written request from a licensee who is the subject of formal charges filed under Article 4525.5, Revised Statutes, or from the licensee's counsel of record and subject to any other privileges or restrictions set forth by rule, statute, or legal precedent, and unless good cause is shown for delay, the board shall provide the licensee with access to all known exculpatory information in its possession and all information in its possession that the board intends to offer into evidence in presenting its case in chief at the contested hearing on the complaint. However, the board is not required to provide board investigative reports or investigative memoranda, the identity of nontestifying complainants, attorney-client communications, attorney-work product, or other materials covered by a privilege as recognized by the Texas Rules of Civil Procedure or the Texas

*Rules of Civil Evidence. The furnishing of information does not constitute a waiver of privilege or confidentiality under this article, this chapter, or other applicable law.*

*(c) In all hearings under this article, the registered nurse shall have the right to appear either personally or by counsel or both.*

SECTION 10. Article 4526b, Revised Statutes, is amended to read as follows:

Art. 4526b. INACTIVE STATUS LIST. Any nurse licensed under the provisions of this law, not actively or actually engaged in the practice of professional nursing, at the expiration of any such license upon written request to the board in such form and manner as the board shall determine may be placed on an inactive status list which shall be maintained by the board. No professional nurse on such inactive status list shall perform any professional nursing services or work or violate any of the provisions of this law or any rule or regulation of the board so long as on such inactive status. At any time such person desires to reenter the active practice of professional nursing or again begin performing or offering to perform professional nursing services, such person shall notify the board and upon payment of appropriate fees and meeting requirements as determined by the board shall be removed from the inactive status list. *The board shall adopt rules permitting a nurse on inactive status under this section who is 65 or older to use the title "Registered Nurse Retired" or "RN Retired."*

SECTION 11. Article 4527, Revised Statutes, is amended by adding Section 3 to read as follows:

*Sec. 3. The Board may charge a fee in the amount necessary to produce and disseminate to its licensees the information required under Section 16(a), Article 4525a, Revised Statutes. Such fees shall be expended for a periodic newsletter. Any balance remaining from this fee at the end of a fiscal year will be carried forward for the purposes stated.*

SECTION 12. Section 5, Article 4518, Revised Statutes, is amended to read as follows:

Sec. 5. Insofar as any of the following acts require substantial specialized judgment and skill and insofar as the proper performance of any of the following acts is based upon knowledge and application of the principles of biological, physical, and social science as acquired by a completed course in an approved school of professional nursing, "Professional Nursing" shall be defined as the performance for compensation of any nursing act (a) in the observation, assessment, intervention, evaluation, rehabilitation, care and counsel and health teachings of persons who are ill, injured or infirm or experiencing changes in normal health processes; (b) in the maintenance of health or prevention of illness; (c) in the administration of medications or treatments as ordered by a licensed physician, including a podiatric physician licensed by the Texas State Board of Podiatry Examiners, or dentist; (d) in the supervision or teaching of nursing; (e) in the administration, supervision, and evaluation of nursing practices, policies, and procedures; or (f) *in the requesting, receiving, and signing for professional samples and distributing the samples to patients at a site serving underserved populations, as provided by Section 3.06(d)(5), Medical Practice Act (Article 4495b, Vernon's Texas Civil Statutes), and rules implementing that section.* The foregoing shall not be deemed to include acts of medical diagnosis or prescription of therapeutic or corrective measures. Nothing in this section shall be construed as prohibiting a registered nurse recognized by the board as having the specialized education and training required under Section 7, Article 4514, Revised Statutes, and functioning under adequate physician supervision from carrying out prescription drug orders or treatments under physician's orders, standing medical orders, standing delegation orders, or other orders or protocols.

SECTION 13. This Act takes effect September 1, 1993.

SECTION 14. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on April 23, 1993, by a non-record vote; the House concurred in Senate amendments to H.B. No. 756 on May 26, 1993, by a non-record vote; passed by the Senate, with amendments, on May 24, 1993, by a viva-voce vote.



Approved June 19, 1993.

Effective Sept. 1, 1993.