

SECOND REGULAR SESSION

HOUSE BILL NO. 1706

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE TREADWAY.

Read 1st time January 30, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

4221L.011

AN ACT

To repeal section 335.016, RSMo, and to enact in lieu thereof one new section relating to the practice of nursing, with an emergency clause.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 335.016, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 335.016, to read as follows:

335.016. As used in [sections 335.011 to 335.096] **this chapter**, unless the context clearly requires otherwise, the following words and terms mean:

(1) "Accredited", the official authorization or status granted by an agency for a program through a voluntary process;

(2) "Advanced practice nurse", a nurse who has had education beyond the basic nursing education and is certified by a nationally recognized professional organization as having a nursing specialty, or who meets criteria for advanced practice nurses established by the board of nursing. The board of nursing may promulgate rules specifying which professional nursing organization certifications are to be recognized as advanced practice nurses, and may set standards for education, training and experience required for those without such specialty certification to become advanced practice nurses;

(3) "Approval", official recognition of nursing education programs which meet standards established by the board of nursing;

(4) "Board" or "state board", the state board of nursing;

(5) "Executive director", a qualified [registered professional nurse] **individual** employed by the board as executive secretary or otherwise to administer the provisions of [sections 335.011

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 to 335.096] **this chapter** under the board's direction. Such person employed as executive
18 director shall not be a member of the board;

19 (6) "Inactive nurse", as defined by rule pursuant to section 335.061;

20 (7) A "licensed practical nurse" or "practical nurse", a person licensed pursuant to the
21 provisions of [sections 335.011 to 335.096] **this chapter** to engage in the practice of practical
22 nursing;

23 (8) "Licensure", the issuing of a license to practice professional or practical nursing to
24 candidates who have met the specified requirements and the recording of the names of those
25 persons as holders of a license to practice professional or practical nursing;

26 (9) "Practical nursing", the performance for compensation of selected acts for the
27 promotion of health and in the care of persons who are ill, injured, or experiencing alterations
28 in normal health processes. Such performance requires substantial specialized skill, judgment
29 and knowledge. All such nursing care shall be given under the direction of a person licensed by
30 a state regulatory board to prescribe medications and treatments or under the direction of a
31 registered professional nurse. For the purposes of this chapter, the term "direction" shall mean
32 guidance or supervision provided by a person licensed by a state regulatory board to prescribe
33 medications and treatments or a registered professional nurse, including, but not limited to, oral,
34 written, or otherwise communicated orders or directives for patient care. When practical nursing
35 care is delivered pursuant to the direction of a person licensed by a state regulatory board to
36 prescribe medications and treatments or under the direction of a registered professional nurse,
37 such care may be delivered by a licensed practical nurse without direct physical oversight;

38 (10) "Professional nursing", the performance for compensation of any act which requires
39 substantial specialized education, judgment and skill based on knowledge and application of
40 principles derived from the biological, physical, social and nursing sciences, including, but not
41 limited to:

42 (a) Responsibility for the teaching of health care and the prevention of illness to the
43 patient and his or her family;

44 (b) Assessment, nursing diagnosis, nursing care, and counsel of persons who are ill,
45 injured or experiencing alterations in normal health processes;

46 (c) The administration of medications and treatments as prescribed by a person licensed
47 by a state regulatory board to prescribe medications and treatments;

48 (d) The coordination and assistance in the delivery of a plan of health care with all
49 members of a health team;

50 (e) The teaching and supervision of other persons in the performance of any of the
51 foregoing;

52 (11) A "registered professional nurse" or "registered nurse", a person licensed pursuant

53 to the provisions of [sections 335.011 to 335.096] **this chapter** to engage in the practice of
54 professional nursing.

Section B. Because immediate action is necessary to properly administer the needs of the
2 state board of nursing section A of this act is deemed necessary for the immediate preservation
3 of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act
4 within the meaning of the constitution, and section A of this act shall be in full force and effect
5 upon its passage and approval.