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HOUSE BILL NO. 1249

Offered January 24, 2000

A BILL to amend and reenact § 54.1-3005 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 54.1-3012.1, relating to nursing workforce information.

Patrons—Brink, DeBoer, Diamonstein, Hamilton, Melvin and Morgan; Senators: Bolling, Lambert and Schrock

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3005 of the Code of Virginia is amended and reenacted, and that the Code of Virginia is amended by adding a section numbered 54.1-3012.1 as follows:

§ 54.1-3005. Specific powers and duties of Board.

In addition to the general powers and duties conferred in this title, the Board shall have the following specific powers and duties:

1. To prescribe minimum standards and approve curricula for educational programs preparing persons for licensure or certification under this chapter;

2. To approve programs that meet the requirements of this chapter and of the Board;

3. To provide consultation service for educational programs as requested;

4. To provide for periodic surveys of educational programs;

5. To deny or withdraw approval from educational programs for failure to meet prescribed standards;

6. To provide consultation regarding nursing practice for institutions and agencies as requested and investigate illegal nursing practices;

7. To keep a record of all its proceedings;

8. To certify and maintain a registry of all certified nurse aides and to promulgate regulations consistent with federal law and regulation. The Board shall require all schools to demonstrate their compliance with § 54.1-3006.2 upon application for approval or re-approval, during an on-site visit, or in response to a complaint or a report of noncompliance. The Board may impose a fee pursuant to § 54.1-2401 for any violation thereof. Such regulations may include standards for the authority of licensed practical nurses to teach nurse aides;

9. To approve programs that entitle professional nurses to be registered as clinical nurse specialists and to prescribe minimum standards for such programs;

10. To maintain a registry of clinical nurse specialists and to promulgate regulations governing clinical nurse specialists;

11. Expired.

12. To certify and maintain a registry of all certified massage therapists and to promulgate regulations governing the criteria for certification as a massage therapist and the standards of professional conduct for certified massage therapists;

13. To promulgate regulations for the delegation of certain nursing tasks and procedures not involving assessment, evaluation or nursing judgment to an appropriately trained unlicensed person by and under the supervision of a registered nurse, who retains responsibility and accountability for such delegation; and

14. To develop and revise as may be necessary, in coordination with the Boards of Medicine and Education, guidelines for the training of employees of a school board in the administration of insulin and glucagon for the purpose of assisting with routine insulin injections and providing emergency treatment for life-threatening hypoglycemia. The first set of such guidelines shall be finalized by September 1, 1999, and shall be made available to local school boards for a fee not to exceed the costs of publication; and

15. To collect, store and make available nursing workforce information regarding the various categories of nurses certified, licensed or registered pursuant to § 54.1-3012.1.

§ 54.1-3012.1. Nursing workforce information.

A. The Board shall collect, store, and make available nursing workforce information regarding the various categories of nurses certified, licensed or registered under the provisions of this chapter. The information to be collected on nurses shall include, but not be limited to: (i) demographic data; (ii) level of education; (iii) employment status; (iv) employment setting such as in a hospital, physician's office, or nursing home; (v) geographic location of employment; (vi) type of nursing position or area of specialty; and (vii) number of hours worked per week. Such information shall be collected and updated biennially, and shall be made available to interested parties only in aggregate form. Information which

60 *could identify individual nurses shall not be released in any form or manner.*

61 *B. In addition to the fees authorized for licensure and renewal by § 54.1-2400, the Board is*
62 *authorized to charge an additional fee for every nurse certified, licensed or registered under the*
63 *provisions of this chapter if necessary to carry out the provisions of this section. Such fee shall not*
64 *exceed the actual cost to collect, store and make available the nursing workforce data.*

65 *C. The Board shall promulgate regulations to implement the provisions of this section. Such*
66 *regulations shall include: (i) the specific number and types of nursing workforce data elements to be*
67 *collected; (ii) the process by which the information is collected, stored, and made available to interested*
68 *parties; (iii) provisions to ensure the confidentiality of the data to be collected and to protect the*
69 *identity of all individuals submitting information; (iv) the amount of any fees that may be charged as*
70 *provided in subsection B; and (v) other provisions as determined by the Board.*

71 **2. That the Board of Nursing shall promulgate regulations to implement the provisions of this act**
72 **within 280 days of enactment.**