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HOUSE BILL NO. 2129

Offered January 9, 2019

Prefiled January 8, 2019

A BILL to amend and reenact § 54.1-3005 of the Code of Virginia, relating to Board of Nursing; application for license or certification; military spouse; expedited review.

Patrons—Guzman, Adams, D.M. and Rodman

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 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 or training 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 reapproval, 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 maintain a registry of clinical nurse specialists and to promulgate regulations governing clinical nurse specialists;

10. To license and maintain a registry of all licensed massage therapists and to promulgate regulations governing the criteria for licensure as a massage therapist and the standards of professional conduct for licensed massage therapists;

11. 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;

12. 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;

13. To enter into the Nurse Licensure Compact as set forth in this chapter and to promulgate regulations for its implementation;

14. 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;

15. To expedite application processing, to the extent possible, for an applicant for licensure or certification by the Board upon submission of evidence that the applicant, who is licensed or certified in another state, is relocating to the Commonwealth pursuant to a spouse's official military orders. *The Board shall process such applications and, if the applicant meets the criteria for licensure or certification, issue the license or certification within 30 days of receipt of a complete application;*

16. To register medication aides and promulgate regulations governing the criteria for such registration and standards of conduct for medication aides;

17. To approve training programs for medication aides to include requirements for instructional personnel, curriculum, continuing education, and a competency evaluation;

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- 59 18. To set guidelines for the collection of data by all approved nursing education programs and to
60 compile this data in an annual report. The data shall include but not be limited to enrollment, graduation
61 rate, attrition rate, and number of qualified applicants who are denied admission;
- 62 19. To develop, in consultation with the Board of Pharmacy, guidelines for the training of employees
63 of child day programs as defined in § 63.2-100 and regulated by the State Board of Social Services in
64 the administration of prescription drugs as defined in the Drug Control Act (§ 54.1-3400 et seq.). Such
65 training programs shall be taught by a registered nurse, licensed practical nurse, doctor of medicine or
66 osteopathic medicine, or pharmacist;
- 67 20. In order to protect the privacy and security of health professionals licensed, registered or certified
68 under this chapter, to promulgate regulations permitting use on identification badges of first name and
69 first letter only of last name and appropriate title when practicing in hospital emergency departments, in
70 psychiatric and mental health units and programs, or in health care facility units offering treatment for
71 patients in custody of state or local law-enforcement agencies;
- 72 21. To revise, as may be necessary, guidelines for seizure management, in coordination with the
73 Board of Medicine, including the list of rescue medications for students with epilepsy and other seizure
74 disorders in the public schools. The revised guidelines shall be finalized and made available to the
75 Board of Education by August 1, 2010. The guidelines shall then be posted on the Department of
76 Education's website; and
- 77 22. To promulgate, together with the Board of Medicine, regulations governing the licensure of nurse
78 practitioners pursuant to § 54.1-2957.