



General Assembly

**Amendment**

February Session, 2014

LCO No. 3475

**\*SB0003603475SD0\***

Offered by:

SEN. LOONEY, 11<sup>th</sup> Dist.  
SEN. GERRATANA, 6<sup>th</sup> Dist.  
REP. JOHNSON, 49<sup>th</sup> Dist.

To: Subst. Senate Bill No. 36

File No. 101

Cal. No. 108

**"AN ACT CONCERNING THE GOVERNOR'S  
RECOMMENDATIONS TO IMPROVE ACCESS TO HEALTH CARE."**

1 Strike lines 44 to 51, inclusive, and insert the following in lieu  
2 thereof:

3 "(3) An advanced practice registered nurse having (A) been issued a  
4 license pursuant to section 20-94a, (B) maintained such license for a  
5 period of not less than three years, and (C) engaged in the performance  
6 of advanced practice level nursing activities in collaboration with a  
7 physician for a period of not less than three years in accordance with  
8 the provisions of subdivision (2) of this subsection, may, thereafter,  
9 alone or in collaboration with a physician or another health care  
10 provider licensed to practice in this state: (i) Perform the acts of  
11 diagnosis and treatment of alterations in health status, as described in  
12 subsection (a) of this section; and (ii) prescribe, dispense and  
13 administer medical"

14 After the last section, add the following and renumber sections and  
15 internal references accordingly:

16 "Sec. 501. (NEW) (*Effective from passage*) As used in this section:

17 (1) "Commissioner" means the Commissioner of Public Health;

18 (2) "Contact hour" means a minimum of fifty minutes of continuing  
19 education and activities;

20 (3) "Department" means the Department of Public Health;

21 (4) "Licensee" means an advanced practice registered nurse licensed  
22 pursuant to section 20-94a of the general statutes; and

23 (5) "Registration period" means the one-year period for which a  
24 license has been renewed in accordance with section 19a-88 of the  
25 general statutes and is current and valid.

26 (b) Except as provided in this section, for registration periods  
27 beginning on and after October 1, 2014, a licensee applying for license  
28 renewal shall earn a minimum of fifty contact hours of continuing  
29 education within the preceding twenty-four-month period. Such  
30 continuing education shall: (1) Be in an area of the advanced practice  
31 registered nurse's practice; (2) reflect the professional needs of the  
32 licensee in order to meet the health care needs of the public; and (3)  
33 include at least five contact hours of training or education in  
34 pharmacotherapeutics. For purposes of this section, qualifying  
35 continuing education activities include, but are not limited to, courses,  
36 including on-line courses, offered or approved by the American  
37 Nurses Association, Connecticut Hospital Association, Connecticut  
38 Nurses Association, Connecticut League for Nursing, a specialty  
39 nursing society or an equivalent organization in another jurisdiction,  
40 an educational offering sponsored by a hospital or other health care  
41 institution or a course offered by a regionally accredited academic  
42 institution or a state or local health department. The commissioner  
43 may grant a waiver of not more than ten contact hours of continuing

44 education for an advanced practice registered nurse who: (A) Engages  
45 in activities related to the advanced practice registered nurse's service  
46 as a member of the Connecticut State Board of Examiners for Nursing,  
47 established pursuant to section 20-88 of the general statutes; or (B)  
48 assists the department with its duties to boards and commissions as  
49 described in section 19a-14 of the general statutes.

50 (c) Each licensee applying for license renewal pursuant to section  
51 19a-88 of the general statutes shall sign a statement attesting that he or  
52 she has satisfied the continuing education requirements of subsection  
53 (b) of this section on a form prescribed by the department. Each  
54 licensee shall retain records of attendance or certificates of completion  
55 that demonstrate compliance with the continuing education  
56 requirements of subsection (b) of this section for a minimum of three  
57 years following the year in which the continuing education activities  
58 were completed and shall submit such records or certificates to the  
59 department for inspection not later than forty-five days after a request  
60 by the department for such records or certificates.

61 (d) A licensee applying for the first time for license renewal  
62 pursuant to section 19a-88 of the general statutes is exempt from the  
63 continuing education requirements of this section.

64 (e) (1) A licensee who is not engaged in active professional practice  
65 in any form during a registration period shall be exempt from the  
66 continuing education requirements of this section, provided the  
67 licensee submits to the department, prior to the expiration of the  
68 registration period, a notarized application for exemption on a form  
69 prescribed by the department and such other documentation as may  
70 be required by the department. The application for exemption  
71 pursuant to this subdivision shall contain a statement that the licensee  
72 may not engage in professional practice until the licensee has met the  
73 requirements of this section.

74 (2) Any licensee who is exempt from the provisions of subsection (b)  
75 of this section for less than two years shall complete twenty-five

76 contact hours of continuing education that meets the criteria set forth  
77 in subsection (b) of this section within the twelve-month period  
78 immediately preceding the licensee's return to active professional  
79 practice.

80 (f) In individual cases involving medical disability or illness, the  
81 commissioner, or the commissioner's designee, may grant a waiver of  
82 the continuing education requirements or an extension of time within  
83 which to fulfill the continuing education requirements of this section to  
84 any licensee, provided the licensee submits to the department an  
85 application for waiver or extension of time on a form prescribed by the  
86 department, along with a certification by a licensed physician,  
87 physician assistant or advanced practice registered nurse of the  
88 disability or illness and such other documentation as may be required  
89 by the commissioner. The commissioner or his or her designee may  
90 grant a waiver or extension for a period not to exceed one registration  
91 period, except that the commissioner or his or her designee may grant  
92 additional waivers or extensions if the medical disability or illness  
93 upon which a waiver or extension is granted continues beyond the  
94 period of the waiver or extension and the licensee applies for an  
95 additional waiver or extension.

96 (g) Any licensee whose license has become void pursuant to section  
97 19a-88 of the general statutes and who applies to the department for  
98 reinstatement of such license pursuant to section 19a-14 of the general  
99 statutes shall submit evidence documenting successful completion of  
100 twenty-five contact hours of continuing education within the one-year  
101 period immediately preceding application for reinstatement.

102 Sec. 502. (NEW) (*Effective October 1, 2014*) (a) For purposes of this  
103 section:

104 (1) "Advanced practice registered nurse" means a person licensed  
105 pursuant to chapter 378 of the general statutes;

106 (2) "Applicable manufacturer" means a manufacturer of a covered

107 drug, device, biological, or medical supply that is operating in the  
108 United States, or in a territory, possession, or commonwealth of the  
109 United States;

110 (3) "Payment or other transfer of value" means a transfer of anything  
111 of value, except a transfer of anything of value that is made indirectly  
112 to an advanced practice registered nurse through a third party in  
113 connection with an activity or service in the case where the applicable  
114 manufacturer is unaware of the identity of the advanced practice  
115 registered nurse;

116 (4) "Covered drug, device, biological, or medical supply" means any  
117 drug, biological product, device, or medical supply for which payment  
118 is available under subchapter XVIII of chapter 7 of Title 42 or the state  
119 Medicaid plan under subchapter XIX or XXI of said chapter or a  
120 waiver of such a plan; and

121 (5) "Covered device" means any device for which payment is  
122 available under subchapter XVIII of chapter 7 of Title 42 or the state  
123 Medicaid plan under subchapter XIX or XXI of said chapter or a  
124 waiver of such a plan.

125 (b) (1) Not later than January 1, 2015, and quarterly thereafter, an  
126 applicable manufacturer that provides a payment or other transfer of  
127 value to an advanced practice registered nurse, who is practicing in the  
128 state, shall submit to the Commissioner of Public Health, in the form  
129 and manner prescribed by the commissioner, the information  
130 described in 42 USC 1320a-7h, as amended from time to time.

131 (2) The commissioner may publish such information on the  
132 Department of Public Health's Internet web site.

133 (c) An applicable manufacturer that fails to report in accordance  
134 with this section shall be assessed a civil penalty in an amount not less  
135 than one thousand dollars or more than four thousand dollars for each  
136 payment or other transfer of value not reported."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>from passage</i>	New section
Sec. 502	<i>October 1, 2014</i>	New section