



General Assembly

Amendment

February Session, 2014

LCO No. 3506

SB0003603506SR0

Offered by:
SEN. FASANO, 34th 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 or for not less than
8 three thousand hours, whichever is greater, in accordance with the
9 provisions of subdivision (2) of this subsection, may, thereafter, alone
10 or in collaboration with a physician or another health care provider
11 licensed to practice in this state: (i) Perform the acts of diagnosis and
12 treatment of alterations in health status, as described in subsection (a)
13 of this section; and (ii) prescribe, dispense and administer medical"

14 In line 54, after the period, insert the following: "Any such advanced
15 practice registered nurse who intends to engage in activities described

16 in this subdivision alone and not in collaboration with a physician
17 shall, prior to engaging in any such activity, provide written notice to
18 the Commissioner of Public Health (i) stating an intention to engage in
19 such activities alone, (ii) affirming that he or she has engaged in the
20 performance of advanced practice level nursing activities in
21 collaboration with a physician for a period of not less than three years
22 or for not less than three thousand hours, whichever is greater, and (iii)
23 identifying each physician with whom he or she has collaborated,
24 including such physician's name, license number, address of such
25 physician's principal place of business, and stating the period of time
26 that he or she collaborated with such physician. The commissioner
27 shall maintain such information, make such information available to
28 members of the public upon request and shall include such
29 information in any profile created for the advanced practice registered
30 nurse pursuant to section 20-13j."

31 After the last section, add the following and renumber sections and
32 internal references accordingly:

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

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

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

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

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

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

43 (b) Except as provided in this section, for registration periods
44 beginning on and after October 1, 2014, a licensee applying for license

45 renewal shall earn a minimum of fifty contact hours of continuing
46 education within the preceding twenty-four-month period. Such
47 continuing education shall: (1) Be in an area of the advanced practice
48 registered nurse's practice; (2) reflect the professional needs of the
49 licensee in order to meet the health care needs of the public; and (3)
50 include at least five contact hours of training or education in
51 pharmacotherapeutics. For purposes of this section, qualifying
52 continuing education activities include, but are not limited to, courses,
53 including on-line courses, offered or approved by the American
54 Nurses Association, Connecticut Hospital Association, Connecticut
55 Nurses Association, Connecticut League for Nursing, a specialty
56 nursing society or an equivalent organization in another jurisdiction,
57 an educational offering sponsored by a hospital or other health care
58 institution or a course offered by a regionally accredited academic
59 institution or a state or local health department. The commissioner
60 may grant a waiver of not more than ten contact hours of continuing
61 education for an advanced practice registered nurse who: (A) Engages
62 in activities related to the advanced practice registered nurse's service
63 as a member of the Connecticut State Board of Examiners for Nursing,
64 established pursuant to section 20-88 of the general statutes; or (B)
65 assists the department with its duties to boards and commissions as
66 described in section 19a-14 of the general statutes.

67 (c) Each licensee applying for license renewal pursuant to section
68 19a-88 of the general statutes shall sign a statement attesting that he or
69 she has satisfied the continuing education requirements of subsection
70 (b) of this section on a form prescribed by the department. Each
71 licensee shall retain records of attendance or certificates of completion
72 that demonstrate compliance with the continuing education
73 requirements of subsection (b) of this section for a minimum of three
74 years following the year in which the continuing education activities
75 were completed and shall submit such records or certificates to the
76 department for inspection not later than forty-five days after a request
77 by the department for such records or certificates.

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

81 (e) (1) A licensee who is not engaged in active professional practice
82 in any form during a registration period shall be exempt from the
83 continuing education requirements of this section, provided the
84 licensee submits to the department, prior to the expiration of the
85 registration period, a notarized application for exemption on a form
86 prescribed by the department and such other documentation as may
87 be required by the department. The application for exemption
88 pursuant to this subdivision shall contain a statement that the licensee
89 may not engage in professional practice until the licensee has met the
90 requirements of this section.

91 (2) Any licensee who is exempt from the provisions of subsection (b)
92 of this section for less than two years shall complete twenty-five
93 contact hours of continuing education that meets the criteria set forth
94 in subsection (b) of this section within the twelve-month period
95 immediately preceding the licensee's return to active professional
96 practice.

97 (f) In individual cases involving medical disability or illness, the
98 commissioner, or the commissioner's designee, may grant a waiver of
99 the continuing education requirements or an extension of time within
100 which to fulfill the continuing education requirements of this section to
101 any licensee, provided the licensee submits to the department an
102 application for waiver or extension of time on a form prescribed by the
103 department, along with a certification by a licensed physician,
104 physician assistant or advanced practice registered nurse of the
105 disability or illness and such other documentation as may be required
106 by the commissioner. The commissioner or his or her designee may
107 grant a waiver or extension for a period not to exceed one registration
108 period, except that the commissioner or his or her designee may grant
109 additional waivers or extensions if the medical disability or illness
110 upon which a waiver or extension is granted continues beyond the

111 period of the waiver or extension and the licensee applies for an
112 additional waiver or extension.

113 (g) Any licensee whose license has become void pursuant to section
114 19a-88 of the general statutes and who applies to the department for
115 reinstatement of such license pursuant to section 19a-14 of the general
116 statutes shall submit evidence documenting successful completion of
117 twenty-five contact hours of continuing education within the one-year
118 period immediately preceding application for reinstatement.

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

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

123 (2) "Applicable manufacturer" means a manufacturer of a covered
124 drug, device, biological, or medical supply that is operating in the
125 United States, or in a territory, possession, or commonwealth of the
126 United States;

127 (3) "Payment or other transfer of value" means a transfer of anything
128 of value, except a transfer of anything of value that is made indirectly
129 to an advanced practice registered nurse through a third party in
130 connection with an activity or service in the case where the applicable
131 manufacturer is unaware of the identity of the advanced practice
132 registered nurse;

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

138 (5) "Covered device" means any device for which payment is
139 available under subchapter XVIII of chapter 7 of Title 42 or the state
140 Medicaid plan under subchapter XIX or XXI of said chapter or a

141 waiver of such a plan.

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

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

150 (c) An applicable manufacturer that fails to report in accordance
 151 with this section shall be assessed a civil penalty in an amount not less
 152 than one thousand dollars or more than four thousand dollars for each
 153 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