

Georgia Occupational Regulation
Review Council

House Bill 430, LC 33 8840S
Advanced Practice Registered
Nurses Licensure Act

A Review of the Proposed Legislation

JULY 2021

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Executive Summary

As provided in O.C.G.A. §43-1A, the Georgia Occupational Regulation Review Council (Council) reviews all bills proposing licensure of a profession or business referred to by the chairperson of the legislative committee of reference. Accordingly, the Council, at the request of the chairperson of the House Regulated Industries Committee, has reviewed House Bill 430, which proposes extending licensure to advanced practice registered nurses and authorize the Board of Nursing to collect workforce data.

During the course of this review, Council staff obtained information from the applicant group, the Georgia Coalition of Advanced Practice Registered Nurses (CAPRN), the Medical Association of Georgia (MAG), the Composite Medical Board, and the Office of the Secretary of State while also conducting internal research.

O.C.G.A. §43-1A-6 requires the Council to consider certain criteria when determining the need for the regulation of a business or profession. For this review, the Council used these criteria to guide the development of findings related to the licensure of occupational therapists. The Council, with assistance from staff, developed the following findings during this review:

❖ **The occupation of advanced practice registered nurse requires specialized skill and training.**

Licensing individuals in this profession would assure Georgians that the individual has continually met the required education and professional standards necessary to hold a license and practice in this state.

Based on the above finding, the Council recommends that the APRN licensure and disability parking permit provisions of HB 430, LC 33 8840S, pass as written. However, the Council does not recommend the workforce data collection provision be passed.

The Council voted unanimously for this recommendation.

Georgia Occupational Regulation Review Council Membership 2021

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Introduction

House Bill (HB) 430 provides for licensure of advanced practice medical nurses (APRNs), allows APRNs to issue temporary and permanent parking passes for disabled individuals, and authorizes the Georgia Board of Nursing to require the collection of workforce data. A licensed APRN is defined as a registered professional nurse who works in one of the following roles: certified nurse midwife, certified nurse practitioner, certified registered nurse anesthetist, or clinical nurse specialist and clinical nurse specialist in psychiatric/mental health. Practicing APRNs have completed a post-graduate education program in nursing at the masters and/or doctoral level and have passed a national certification exam. The legislation is intended to align APRNs with registered nurses (RNs) pertaining to licensure requirements.

The Board of Nursing is authorized to collect workforce data, including education, licensure, and employment related questions.

This report focuses on providing information concerning the nature of the legislation and presents an assessment of the need for such in the state of Georgia.

In conducting this review, the Georgia Occupational Regulation Review Council, referred to as Council for the remainder of this report, solicited input from any interested party that wished to submit information or participate in the process. The applicant group, the Georgia Coalition of Advanced Practice Registered Nurses (CAPRN), submitted a questionnaire providing background information for advanced practice registered nurses and the differing standards of licensure across the county.

Council staff also performed additional analysis comparing licensure laws for advanced practice registered nurses in other states to the proposals in HB 430.

The Council provided representatives from interested parties with the opportunity to present information during Council meetings, either by verbal presentation and/or through written material. The Council posted meeting dates, times, and locations to the Office of Planning and Budget website (<https://opb.georgia.gov/georgia-occupational-regulation-review-council>).

Description of Proposed Legislation

HB 430 amends Titles 40 and 43 of the Official Code of Georgia Annotated, relating to professions and businesses, so as to provide for the licensure and regulation of advanced practice registered nurses, to authorize advanced practice registered nurses and physician assistants to execute affidavits certifying an individual is disabled for purposes of obtaining special vehicle decals for persons with disabilities; to authorize the collection of workforce data by the Board of Nursing; and for other purposes. The bill provides the following:

- ❖ Allows for licensure of advanced practice registered nurses in this state.
- ❖ Adds APRNs and physician assistants (PAs) to the Department of Revenue's (DOR) list of approved practitioners authorized to order disability permits.
- ❖ Authorizes the Georgia Board of Nursing to require the collection of workforce data from applicants applying for initial licensure and renewal.

A summary of the bill can be found in Appendix A. A complete copy of the bill is located in Appendix B.

Current Practices

APRNs are granted an 'authorization to practice' by the Board of Nursing, rather than a separate license; they are licensed as a RN, but do not hold an additional license as an APRN. According to the Board of Nursing, as of April 23, 2021, there are a total of 17,354 APRNs who have been granted authorization to practice. APRNs are required by Georgia law to practice under a supervisory agreement with a physician.

HB 430 proposes no changes to the scope of practice for APRNs. Issuing a license rather than an 'authorization to practice' is intended to bring uniformity to regulation across the country and provide more accurate data in the profession.

APRNs currently pay the \$75.00 fee for licensure as a RN, plus an additional \$75.00 for the 'authorization to practice.' These costs would remain the same for licensure as an APRN rather than the 'authorization to practice.'

APRNs are currently able to complete the required forms for a disabled person's parking permit but are not authorized by DOR to order the permit. The language in the bill is intended to eliminate confusion and delays in the process of ordering permits.

The Board currently tracks workforce demographics and data on an optional basis during license renewal. By authorizing the Board to require this information, the intent is to compile a larger sample of accurate data that will lead to better policy and funding proposals.

The Issue and Potential for Harm

Inconsistent Regulation and Confusion

According to the National Council of State Board of Nursing, [39 of 50 states and four territories](#) have at least one type of licensure for APRNs. Georgia is part of a small minority of states nationwide that does not currently license APRNs; the intent is to bring more uniformity to the profession in Georgia by licensing these professions.

The inability of APRNs to order parking permits for disabled individuals creates unnecessary confusion since they are currently able to complete the required forms. HB 430 would alleviate this confusion by extending the ability to order parking permits to APRNs.

Nursing workforce data

As of July 6, 2021, there are 170,158 total nurses in Georgia; of that total, 17,842 have been granted authorization to practice as an APRN. Licenses are renewed for half of the total population each year. Data from the 2020 workforce survey indicated around 40,000 survey responses from the population of roughly 85,000 – approximately 47 percent response rate. Each response is equivalent to a returned survey, but that does not necessarily mean each question was completed.

In terms of the survey software used by the SOS, a survey must either be entirely required or entirely optional; it is a binary system. The office recommended that parameters for the survey be established to determine what information must be reported for a survey response to be considered ‘substantively complete.’

Fiscal impact

A Fiscal Note was provided for HB 430 LC 33 8840S. The Professional Licensing Board under the SOS provided an estimate of \$266,00 in one-time costs and \$124,000 in ongoing costs. The one-time costs encompass the funds needed to build four separate APRN licenses in the current software system. The office expressed concerns about the costs of collecting workforce data by the Board of Nursing. This will extend the time and cost of the licensure process because of increased workload and manpower.

Findings

Pursuant to O.C.G.A. § 43-1A-6, the Georgia Occupational Regulation Review Council must review bills under their consideration according to the following criteria:

- ❖ Whether the unregulated practice of the occupation may harm or endanger the health, safety, and welfare of citizens of this state and whether the potential for harm is recognizable and not remote;
- ❖ Whether the practice of the occupation requires specialized skill or training and whether the public needs and will benefit by assurances of initial and continuing occupational ability;
- ❖ Whether the citizens of this state are or may be effectively protected by other means;
- ❖ Whether the overall cost effectiveness and economic impact would be positive for citizens of this state; and
- ❖ Whether there are means other than state regulation to protect the interests of the state.

Based on this set of criteria, the Council has reviewed HB 430, LC 33 8840S, which would allow licensure for advanced practice registered nurses. In doing so, the Council developed the following findings:

The occupation of advanced practice registered nurse requires specialized skill and training.

Licensing individuals in this profession would assure Georgians that the individual has continually met the required education and professional standards necessary to hold a license and practice in this state.

Recommendation

Based on the above finding, the Council recommends that the APRN licensure and disability parking permit provisions of HB 430, LC 33 8840S, pass as written. However, the Council does not recommend the workforce data collection provision be passed.

The Council voted unanimously for this recommendation.

Appendix A: Summary of Proposed Legislation

Summary of HB 430

- This bill would amend Titles 40 and 43 to provide for licensure of advanced practice registered nurses, to authorize advanced practice registered nurses and physician assistants to execute affidavits certifying an individual is disabled for purposes of obtaining special vehicle decals for persons with disabilities, to authorize the collection of workforce data by the Board of Nursing, and for other purposes.
- The legislation aligns advanced practice registered nurses (nurse practitioners) with registered nurses (R.N.s) pertaining to licensure requirements
- ‘Advanced practice registered nurse’ is defined as a registered professional nurse who is licensed by the board as having met the requirements established by the board to engage in advanced nursing practice within one of the following roles: certified nurse midwife, certified nurse practitioner, certified registered nurse anesthetist, or clinical nurse specialist and clinical nurse specialist in psychiatric/mental health, and who functions in a population focus or a person who was recognized as an advanced practice registered nurse by the board on or before June 30, 2006. A certified registered nurse anesthetist who graduated from an approved nurse anesthetist educational program prior to Jan. 1, 1999, is not required to hold a master’s degree or other graduate degree.
- First-time applicants for licensure to practice as an advanced practice registered nurse who meet the requirements of Code Section 43-26-7.1 (*Requirements for licensure as registered professional nurse*) must:
 - 1) Submit a completed written application and fee;
 - 2) Be currently licensed by the board as a registered professional nurse;
 - 3) Have completed an accredited graduate or postgraduate level advanced practice registered nursing program in one of the four roles specified under paragraph (1.1) of Code Section 43-26-3 and at least one population focus;
 - 4) Be currently certified by a national certifying body recognized by the board in the advanced practice registered nursing program role and population focuses appropriate to educational preparation;
 - 5) Have satisfactory results from a fingerprint record check report conducted by the Georgia Crime Information Center and the Federal Bureau of Investigation, as determined by the board. Each applicant who submits an application to the board for licensure agrees to provide the board with any and all information necessary to run a criminal background check, including, but not limited to, classifiable sets of fingerprints; and
 - 6) Meet such other criteria as established by board.
- Previously licensed advanced practice registered nurses in Georgia seeking reinstatement must submit a completed application, meet continuing competency requirements established by the board, and complete the same background check process as first-time applicants.
- Licenses will be renewed on a biennial basis. An applicant for renewal as a registered professional must meet one of the following during the previous licensure period:

- 1) Completion of 30 continuing education hours by a board approved provider
 - 2) Maintenance of certification or recertification by a national certifying body recognized by the board
 - 3) Completion of an accredited academic program of study in nursing or a related field as recognized by the board
 - 4) Verification of competency by a health care facility or entity licensed under Chapter 7 of Title 31 or by a physician's office that is part of a health system and at least 500 hours practiced as evidenced by employer certification on a form approved by the board; or
 - 5) Other activities as prescribed and approved by the board that show competency in the nursing field
- All potential misdemeanor charges able to be brought against registered professional nurses (R.N.s) are extended to advanced practice registered nurses.
 - Title 40 is amended: Parking permits, including both temporary and permanent permits, may be issued by mail with an affidavit or a signed and dated statement (including the same information as required in an affidavit) from a licensed advanced practice registered nurse, or a licensed physician assistant under subsection (e.1) of Code Section 43-34-103.
 - The affidavit will state the individual is a disabled person and indicate the specific disability.

Title 43

- The Department of Revenue is added to the list of state agencies for which a physician can delegate the authority to sign, certify, and endorse all documents relating to health care provided to a patient within his or her scope of authorized practice to a nurse or physician assistant under Code Section 43-34-23
 - Advanced practice registered nurses may be delegated similar authority except for death certificates and assigning a percentage of a disability rating
 - The powers and responsibilities of the Board of Nursing are amended: 'Be authorized to require the collection of workforce data from applicants when issuing and renewing licenses under this chapter.'
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Appendix B: Complete Text of House Bill 430

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 26 of Title 43 of the Official Code of Georgia Annotated, relating to
2 nurses, so as to provide for licensure of advanced practice registered nurses; to revise
3 definitions; to provide for licensure requirements; to provide for renewal of licenses; to
4 provide for a misdemeanor to practice advanced nursing practice without a license; to amend
5 Article 3 of Chapter 2 of Title 40 and Article 2 of Chapter 34 of Title 43 of the Official Code
6 of Georgia Annotated, relating to prestige license plates and special plates for certain persons
7 and vehicles and medical practice, respectively, so as to authorize advanced practice
8 registered nurses and physician assistants to execute affidavits certifying an individual is
9 disabled for purposes of obtaining special vehicle decals for persons with disabilities; to
10 amend Code Section 43-26-5 of the Official Code of Georgia Annotated, relating to general
11 powers and responsibilities of the Board of Nursing, so as to authorize the collection of
12 workforce data; to provide for related matters; to repeal conflicting laws; and for other
13 purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15

PART I

16

SECTION 1-1.

17 Chapter 26 of Title 43 of the Official Code of Georgia Annotated, relating to nurses, is
18 amended in Code Section 43-26-3, relating to definitions, by revising paragraphs (1) and
19 (1.1) as follows:

20 "(1) 'Advanced nursing practice' means practice by a registered professional nurse who
21 is licensed by the board under this article or who holds a multistate license under Article

22 4 of this chapter who meets those educational, practice, certification requirements, or any
23 combination of such requirements as specified by the board, and includes certified nurse
24 midwives, certified nurse practitioners, certified registered nurse anesthetists, clinical
25 nurse specialists and clinical nurse specialists in psychiatric/mental health, and others
26 recognized by the board.

27 (1.1) 'Advanced practice registered nurse' means a registered professional nurse who is
28 licensed by the board under this article or who holds a multistate license under Article 4
29 of this chapter, who is recognized by the board as having met the requirements
30 established by the board to engage in advanced nursing practice, and who holds a master's
31 degree or other graduate degree from an approved nursing education program and
32 national board certification in his or her area of specialty, within one of the following
33 roles: certified nurse midwife, certified nurse practitioner, certified registered nurse
34 anesthetist, or clinical nurse specialist and clinical nurse specialist in psychiatric/mental
35 health, and who functions in a population focus or a person who was recognized as an
36 advanced practice registered nurse by the board on or before June 30, 2006. This
37 paragraph shall not be construed to require a certified registered nurse anesthetist who
38 graduated from an approved nurse anesthetist educational program prior to January 1,
39 1999, to hold a master's degree or other graduate degree. Further, this paragraph shall not
40 be construed to require a registered professional nurse who holds a multistate license
41 under Article 4 of this chapter authorizing such nurse to practice in another party state
42 under a multistate licensure privilege to obtain a single-state license from the board as a
43 condition of receiving authorization by the board to practice in this state as an advanced
44 practice registered nurse."

45

SECTION 1-2.

46 Said chapter is further amended by adding a new Code section to read as follows:

47 "43-26-7.1.

48 (a) Any applicant who meets the requirements of this Code section shall be eligible for
49 licensure as an advanced practice registered nurse.

50 (b) An applicant for initial licensure to practice as an advanced practice registered nurse
51 shall:

52 (1) Submit a completed written application and fee;

53 (2) Be currently licensed by the board as a registered professional nurse;

54 (3) Have completed an accredited graduate or postgraduate level advanced practice
55 registered nursing program in one of the four roles specified under paragraph (1.1) of
56 Code Section 43-26-3 and at least one population focus;

57 (4) Be currently certified by a national certifying body recognized by the board in the
58 advanced practice registered nursing program role and population focuses appropriate to
59 educational preparation;

60 (5) Have satisfactory results from a fingerprint record check report conducted by the
61 Georgia Crime Information Center and the Federal Bureau of Investigation, as
62 determined by the board. Application for licensure under this Code section shall
63 constitute express consent and authorization for the board to perform a criminal
64 background check. Each applicant who submits an application to the board for licensure
65 agrees to provide the board with any and all information necessary to run a criminal
66 background check, including, but not limited to, classifiable sets of fingerprints. The
67 applicant shall be responsible for all fees associated with the performance of such
68 criminal background check; and

69 (6) Meet such other criteria as established by the board.

70 (c) An applicant for reinstatement who has previously held a valid advanced practice
71 registered nurse license in Georgia shall:
72 (1) Submit a completed written application and fee;
73 (2) Meet continuing competency requirements as established by the board;
74 (3) Have satisfactory results from a fingerprint record check report conducted by the
75 Georgia Crime Information Center and the Federal Bureau of Investigation, as
76 determined by the board. Application for licensure under this Code section shall
77 constitute express consent and authorization for the board to perform a criminal
78 background check. Each applicant who submits an application to the board for licensure
79 agrees to provide the board with any and all information necessary to run a criminal
80 background check, including, but not limited to, classifiable sets of fingerprints. The
81 applicant shall be responsible for all fees associated with the performance of such
82 criminal background check; and
83 (4) Meet such other criteria as established by the board."

84 SECTION 1-3.

85 Said chapter is further amended by revising Code Section 43-26-9, relating to biennial
86 renewal of licenses, continuing competency requirements, voluntary surrender or failure to
87 renew license, and restoration and reissuance of license, as follows:

88 "43-26-9.

89 (a) Licenses issued under this article shall be renewed biennially according to schedules
90 and fees approved by the board.

91 (b) A renewed license shall be issued to a registered professional nurse or licensed
92 undergraduate nurse who remits the required fee and complies with requirements
93 established by the board.

94 (b.1)(c) Beginning with the 2016 license renewal cycle, an applicant for license renewal
95 as a registered professional under this article shall meet one of the following continuing
96 competency requirements during the previous licensure period:

97 (1) Completion of 30 continuing education hours by a board approved provider;
98 (2) Maintenance of certification or recertification by a national certifying body
99 recognized by the board;

100 (3) Completion of an accredited academic program of study in nursing or a related field,
101 as recognized by the board;

102 (4) Verification of competency by a health care facility or entity licensed under Chapter
103 7 of Title 31 or by a physician's office that is part of a health system and at least 500
104 hours practiced as evidenced by employer certification on a form approved by the board;
105 or

106 (5) Other activities as prescribed and approved by the board that show competency in the
107 nursing field.

108 Failure to meet the minimum continuing competency requirement for renewal of a license
109 shall be grounds for denial of a renewal application. The board may waive or modify the
110 requirements contained in this subsection in cases of hardship, disability, or illness or under
111 such other circumstances as the board, in its discretion, deems appropriate. An applicant
112 who is renewing a license for the first time shall not be required to meet the requirements
113 of this subsection until the time of the second renewal if the applicant's initial license
114 period is six months or less.

115 (d) Advanced practice registered nurse licenses issued under this article shall be issued to
116 an advanced practice registered nurse who remits the required fee and complies with
117 requirements established by the board.

118 (c)(e) The voluntary surrender of a license or the failure to renew a license by the end of
119 an established penalty period shall have the same effect as a revocation of said license,
120 subject to reinstatement at the discretion of the board. The board may restore and reissue
121 a license and, as a condition thereof, may impose any disciplinary sanction provided by
122 Code Section 43-1-19 or 43-26-11."

123 SECTION 1-4.

124 Said chapter is further amended by revising Code Section 43-26-10, relating to practicing as
125 a registered professional nurse without a license prohibited, as follows:

126 "43-26-10.

127 It shall be a misdemeanor for any person, including any corporation, association, or
128 individual, to:

129 (1) Practice nursing as a registered professional nurse, or advanced practice registered
130 nurse without a valid, current license, except as otherwise permitted under Code Section
131 43-26-12;

132 (2) Practice nursing as a registered professional nurse or advanced practice registered
133 nurse under cover of any diploma, license, or record illegally or fraudulently obtained,
134 signed, or issued;

135 (3) Practice nursing as a registered professional nurse or advanced practice registered
136 nurse during the time the license is suspended, revoked, surrendered, or administratively
137 revoked for failure to renew;

138 (4) Use any words, abbreviations, figures, letters, title, sign, card, or device implying that
139 such person is a registered professional nurse or advanced practice registered nurse unless
140 such person is duly licensed or recognized by the board so to practice under the
141 provisions of this article;

142 (5) Fraudulently furnish a license to practice nursing as a registered professional nurse
143 or advanced practice registered nurse;
144 (6) Knowingly employ any person to practice nursing as a registered professional nurse
145 or advanced practice registered nurse who is not a registered professional nurse or
146 advanced practice registered nurse;
147 (7) Conduct a nursing education program preparing persons to practice nursing as
148 registered professional nurses or advanced practice registered nurses unless the program
149 has been approved by the board; or
150 (8) Knowingly aid or abet any person to violate this article."

151 PART II

152 SECTION 2-1.

153 Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
154 prestige license plates and special plates for certain persons and vehicles, is amended by
155 revising Code Section 40-2-74.1, relating to temporary, permanent, and special permanent
156 parking permits for persons with disabilities, as follows:

157 "40-2-74.1.

158 (a) The department shall issue parking permits for persons with disabilities and may
159 delegate to county tag agents the responsibility for issuance of such permits to residents of
160 the county served by the tag agent. The department shall receive applications for and issue
161 parking permits by mail to persons with disabilities upon presentation of an affidavit of a
162 licensed doctor of medicine, licensed doctor of osteopathic medicine, licensed doctor of
163 podiatric medicine, licensed optometrist, or licensed chiropractor, licensed advanced
164 practice registered nurse acting pursuant to the authority of Code Section 43-34-25, or
165 licensed physician assistant acting pursuant to the authority of subsection (e.1) of Code

166 Section 43-34-103 stating that such person is a disabled person, the specific disability that
167 limits or impairs the person's ability to walk, and that he or she is a person with disabilities
168 as specified in paragraph (5) of Code Section 40-6-221. Permits shall be in such form as
169 the department prescribes but shall be of sufficient size and sufficiently distinctively
170 marked to be easily visible when placed on or affixed to the driver's side of the dashboard
171 or hung from the rearview mirror of the parked vehicle. Permits shall be made of a
172 substrate as determined by the commissioner and shall be of sufficient quality to ensure
173 that the coloring of the permit and the ink used thereon will resist fading for a period of at
174 least four years. Permits shall be issued to individuals, and the name of the individual and
175 an identification number shall appear on the permit. The individual to whom a permit is
176 issued may use the permit for any vehicle he or she is operating or in which he or she is a
177 passenger. Permits shall also be issued to institutions when the primary purpose of a
178 vehicle operated by the institution is to transport individuals with disabilities. The name
179 of the institution, the license number of the particular vehicle, and an identification number
180 shall appear on the permit. The institution shall use such permit only for a vehicle which
181 is operated by the institution and which is used primarily to transport individuals with
182 disabilities.

183 (b) The department shall issue a temporary permit to any temporarily disabled person upon
184 presentation of an affidavit of a licensed doctor of medicine, licensed doctor of osteopathic
185 medicine, licensed doctor of podiatric medicine, licensed optometrist, or licensed
186 chiropractor, licensed advanced practice registered nurse acting pursuant to the authority
187 of Code Section 43-34-25, or licensed physician assistant acting pursuant to the authority
188 of subsection (e.1) of Code Section 43-34-103 stating that such person is a temporarily
189 disabled person, the specific disability that limits or impairs the person's ability to walk,

190 that he or she is a person with disabilities as specified in paragraph (5) of Code Section
191 40-6-221, and a date until which such person is likely to remain disabled. The temporary
192 permit shall show prominently on its face an expiration date the same as the date specified
193 by such doctor for the likely termination of the disability, which date shall not be more than
194 180 days after the date the permit is issued. The expiration date shall be printed with
195 permanent ink and in boldface type of sufficient size to be legible when the permit is
196 displayed on the driver's side of the dashboard or hung from the rearview mirror.

197 (c) The department shall issue a permanent permit to any permanently disabled person
198 upon presentation of an affidavit of a licensed doctor of medicine, licensed doctor of
199 osteopathic medicine, licensed doctor of podiatric medicine, licensed optometrist, or
200 licensed chiropractor, licensed advanced practice registered nurse acting pursuant to the
201 authority of Code Section 43-34-25, or licensed physician assistant acting pursuant to the
202 authority of subsection (e.1) of Code Section 43-34-103 stating that such person is a
203 permanently disabled person. The affidavit shall further state the specific disability that
204 limits or impairs the person's ability to walk or that he or she is a person with disabilities
205 as specified in paragraph (5) of Code Section 40-6-221. The department shall also issue
206 a permanent permit to an institution which operates vehicles used primarily for the
207 transportation of individuals with disabilities upon presentation of a certification from the
208 institution regarding use of its vehicles. The institution shall receive permits only for the
209 number of vehicles so used and shall affix the permits to the driver's side of the dashboards
210 of such vehicles. The permanent permit shall be predominantly blue in color and shall
211 show prominently on its face an expiration date four years from the date it is issued. The
212 expiration date shall be machine printed, not handwritten, in boldface type of sufficient size
213 to be legible when the permit is displayed on the driver's side of the dashboard or hung

214 from the rearview mirror.

215 (d) Any individual to whom a specially designated disabled veteran's license plate has
216 been issued pursuant to Code Sections 40-2-69 through 40-2-72 and any individual to
217 whom a specially designated disabled person's license plate has been issued pursuant to
218 Code Section 40-2-74 shall be authorized to park the passenger motor vehicle on which the
219 specially designated license plate is attached in a parking place for persons with disabilities
220 without the necessity of obtaining a parking permit for persons with disabilities pursuant
221 to this Code section.

222 (e) The department shall issue a special permanent permit to any person who:

223 (1) Because of a physical disability drives a motor vehicle which has been equipped with
224 hand controls for the operation of the vehicle's brakes and accelerator; or

225 (2) Is physically disabled due to the loss of, or loss of use of, both upper extremities.

226 This special permanent permit shall be gold in color and shall show prominently on its face
227 an expiration date four years from the date it is issued. The expiration date shall be printed
228 in a size of print that is legible when the permit is displayed on the driver's side of the
229 dashboard or hung from the rearview mirror. Such a special permit shall be used in the
230 same manner as, and shall be subject to the provisions of this Code section relating to,
231 other permanent parking permits for persons with disabilities and shall also be used as
232 provided in Code Section 10-1-164.1. In addition to any other required printing, the
233 following shall be printed upon this special gold permit:

234 'Code Section 10-1-164.1 of the Official Code of Georgia Annotated requires that any
235 owner or operator of a gasoline station that sells full-service gasoline at one price and
236 self-service at a lower price shall provide the service of dispensing gasoline at the
237 self-service price for the holder of this special permit when such holder requests such

238 service and is the operator of the vehicle and is not accompanied by another person 16
239 years of age or older who is not mobility impaired or blind.'

240 (f) The department and county tag agents shall not charge or collect any fee for issuing
241 parking permits for persons with disabilities under this Code section.

242 (g) Any special disabled person decal issued under the former provisions of this Code
243 section shall be valid until its expiration date but shall not be reissued.

244 (h) For purposes of this Code section, an active duty military physician shall be entitled
245 to submit an affidavit in support of the application of active duty or retired military
246 personnel for parking permits for persons with disabilities whether or not such physician
247 is licensed to practice in Georgia. Such affidavit shall state that the applicant is in active
248 military service and is stationed in Georgia pursuant to military orders or is retired from
249 the military and is a resident of Georgia and that such person is a disabled person, the
250 specific disability that limits or impairs the person's ability to walk, and that he or she is
251 a person with disabilities as specified in paragraph (5) of Code Section 40-6-221.

252 (i) For purposes of this Code section the department shall accept, in lieu of an affidavit,
253 a signed and dated statement from the doctor, advanced practice registered nurse, or
254 physician assistant which includes the same information as required in an affidavit written
255 upon security paper as defined in paragraph (38.5) of Code Section 26-4-5."

256 SECTION 2-2.

257 Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to
258 medical practice, is amended in Code Section 43-34-23, relating to delegation of authority
259 to nurse or physician assistant, by revising subparagraph (b)(1)(B) as follows:
260 "(B) A physician may delegate to those health care professionals identified in
261 subparagraph (A) of this paragraph:

262 (i) The authority to order controlled substances selected from a formulary of such
263 drugs established by the board and the authority to order dangerous drugs, medical
264 treatments, and diagnostic studies;

265 (ii) The authority to request, receive, and sign for professional samples and to
266 distribute professional samples to patients. The office or facility at which the health
267 care professional identified in subparagraph (A) of this paragraph is working shall
268 maintain a general list of the professional samples approved by the delegating
269 physician for request, receipt, and distribution by the health care professional
270 identified in subparagraph (A) of this paragraph as well as a complete list of the
271 specific number and dosage of each professional sample and medication voucher
272 received. Professional samples that are distributed by a health care professional
273 identified in subparagraph (A) of this paragraph shall be so noted in the patient's
274 medical record. In addition to the requirements of this Code section, all professional
275 samples shall be maintained as required by applicable state and federal laws and
276 regulations; and

277 (iii) The authority to sign, certify, and endorse all documents relating to health care
278 provided to a patient within his or her scope of authorized practice, including, but not
279 limited to, documents relating to physical examination forms of all state agencies and
280 verification and evaluation forms of the Department of Human Services, the State
281 Board of Education, local boards of education, the Department of Community Health,
282 the Department of Revenue, and the Department of Corrections; provided, however,
283 that a health care professional identified in subparagraph (A) of this paragraph shall
284 not have the authority to sign death certificates or assign a percentage of a disability
285 rating."

286

SECTION 2-3.

287 Said article is further amended in Code Section 43-34-25, relating to delegation of certain
288 medical acts to advanced practice registered nurse, construction and limitations of such
289 delegation, definitions, conditions of nurse protocol, and issuance of prescription drug orders,
290 by revising subsection (e.1) as follows:

291 "(e.1) Except for death certificates and assigning a percentage of a disability rating, an
292 advanced practice registered nurse may be delegated the authority to sign, certify, and
293 endorse all documents relating to health care provided to a patient within his or her scope
294 of authorized practice, including, but not limited to, documents relating to physical
295 examination forms of all state agencies and verification and evaluation forms of the
296 Department of Human Services, the State Board of Education, local boards of education,
297 the Department of Community Health, the Department of Revenue, and the Department of
298 Corrections."

299

PART III

300

SECTION 3-1.

301 Code Section 43-26-5 of the Official Code of Georgia Annotated, relating to general powers
302 and responsibilities of the Board of Nursing, is amended in subsection (a) by adding a new
303 paragraph to read as follows:

304 "(20.1) Be authorized to require the collection of workforce data from applicants when
305 issuing and renewing licenses under this chapter;"

306

PART IV

307

SECTION 4-1.

308 All laws and parts of laws in conflict with this Act are repealed.



DEPARTMENT OF AUDITS AND ACCOUNTS

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STATE AUDITOR
(404) 656-2174

July 21, 2021

Honorable Alan Powell

Chairman, House Regulated
Industries 613 Coverdell
Legislative Office Bldg. Atlanta,
Georgia 30334

SUBJECT: Fiscal Note
House Bill 430 (LC 33 8840S)

Dear Chairman Powell:

The bill would provide for five licenses for advanced practice registered nurses (APRN).

Currently, APRNs can only be recognized through authorization, not licensure, by the Georgia Board of Nursing. The bill makes engaging in the practice of nursing as an APRN without a valid, current license a misdemeanor and allows APRNs to sign an affidavit allowing a person with a disability to obtain a special vehicle decal. Finally, the bill provides the board with the authority to require applicants to provide workforce data when issuing or renewing licenses.

Impact on State Expenditures

The Office of the Secretary of State (SOS) would incur additional one-time and ongoing expenses resulting from the bill. One-time expenditures of \$266,000 are largely related to information system changes and temporary personnel. Ongoing, annual expenditures of approximately \$124,000 would be incurred for two additional personnel. See Table 1 on the following page for details.

- *One-Time Expenditures* – Much of the one-time charges are related to the vendor cost for adding five APRN licensing types to the system. The estimate is \$30,000 per license but could be slightly less. SOS anticipates the need for three temporary personnel to process additional APRN license applications in the short-term. Other charges related to specifically to the new license types include the website, the interface with NURSYS (national database for credential verification), and rulemaking. SOS estimated up to \$5,000 for information system changes to add a workforce survey to the registration process, as allowed by Section 3-1 of the bill.
- *Annual Expenditures* – Annual costs would be incurred for an additional investigator and analyst. The investigator will address what is expected to be more complex complaints associated with the APRN scope of work. SOS will also require an analyst to process the additional applications resulting from the bill. Because APRN applicants must also apply for an RN license, the number of unique applications submitted by these individuals is expected to double. Approximately 18,000 nurses have the APRN designation currently. While the bill will result in additional licenses being issued (RN and APRN), it will not necessarily lead to an increase in the number of individuals licensed by the Board of Nursing.

Table 1. Additional Costs for SOS

<u>One-Time Expenditures</u>	<u>Amount</u>
Licensing System – New Licenses	\$150,000
Temporary Employees for Application Demand	\$90,000
Website	\$8,500
NURSYS Interface	\$7,500
Rulemaking	\$5,000
Licensing System – Workforce Data Collection	\$5,000
Total One-Time Expenditures	\$266,000

<u>Annual Expenditures</u>	<u>Amount</u>
Investigator	\$75,000
Analyst	\$49,000
<u>Total Annual Expenditures</u>	<u>\$124,000</u>

Impact on State Revenue

The APRN licenses will also result in additional state revenue. Based on the number of licensees with an APRN designation, we estimate additional revenue of \$75,000 annually for new licensees and approximately \$585,000 for annual renewals. A license is renewed biennially.

Sincerely,



Greg S.
Griffin
State
Auditor



Kelly Farr,
Director Office of
Planning and
Budget