

BILL ANALYSIS

C.S.H.B. 2131
By: Zedler
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The 77th Legislature amended the Nursing Practice Act by adding section 301.1525. The Board of Nurse Practitioners was authorized to develop and enact rules governing Registered Nurse First Assistant (RNFA) practice. It was the understanding of some nurses that the Nursing Practice Act was amended to allow for reimbursement of those functioning in the capacity as a RNFA. The wording of the legislation provided a definition of a nurse first assistant that was not limited only to those seeking reimbursement. As a result there are some nurses that will be ineligible to continue performing the duties they have performed for several years, unless they complete the training and other requirements to become a RNFA.

The legislation established a time limit by which nurses had to complete training to become a RNFA or stop functioning in that role. Some nurses employed by doctors, hospitals, or physicians group that have been assisting doctors in the operating room for many years do not want to be reimbursed for the duties they perform and therefore do not want to go through the process to become an RNFA.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

This bill allows those nurses that have 2500 hours of experience under the supervision of a physician in an operating room that do not wish to either be reimbursed or use the title of Registered Nurse First Assistant to continue doing the job that they have been doing without having to go through the RNFA certification process

EFFECTIVE DATE

September 1, 2003

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute spells out what a nurse covered by this bill can and cannot do in the operating room while dealing with the issues covered by RNFA rules.

The first section covers nurses that have been performing the task covered in this bill for at least 2500 hours prior to September 1, 2003. It covers nurses working directly for hospitals, physicians, physician groups, podiatrist or dentist. They also must be working under the direct supervision of the doctor. The first section is sunsetted on January 1, 2007, at this time the grandfather for these nurses will expire. The second section covers the exact same items as the first but applies to nurses working for small hospitals (100 beds or less) and does not have a sunset provision.