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3 SENATE HEALTHCARE COMMITTEE SUBSTITUTE FOR SB114
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8 SYNOPSIS: Under existing law, a certified registered
9 nurse practitioner and a certified nurse midwife
10 practice pursuant to a collaboration agreement with
11 a physician pursuant to practice protocols provided
12 by the Joint Committee of the Board of Medical
13 Examiners and the Board of Nursing for Advance
14 Practice Nurses. The joint committee is required to
15 recommend rules establishing the ratio of
16 physicians to certified registered nurse
17 practitioners and certified nurse midwives.

18 This bill would delete this required rule
19 recommendation. This bill would also specify that a
20 patient shall have the ability to select a
21 certified registered nurse practitioner, a
22 certified nurse midwife, or an assistant to a
23 physician.
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25 A BILL
26 TO BE ENTITLED
27 AN ACT

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2 Relating to health; to further provide for the
3 patient's ability to select a certified registered nurse
4 practitioner, a certified nurse midwife, or an assistant to a
5 physician, as his or her designated health care provider; and
6 to amend Section 34-21-87, Code of Alabama 1975, to remove the
7 requirement that the joint committee recommend a ratio of
8 physicians to certified registered nurse practitioners and
9 certified nurse midwives in model practice protocols.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. (a) A patient shall have the ability to
12 select a certified registered nurse practitioner, certified
13 nurse midwife, or assistant to a physician as his or her
14 designated health care provider when the care to be provided
15 is within the scope of practice of the collaboration agreement
16 between the collaborating physician and the certified
17 registered nurse practitioner, the certified nurse midwife, or
18 the assistant to the physician. The provisions of this
19 subsection shall not affect or limit the autonomy or authority
20 of a collaborating physician.

21 (b) Except as otherwise provided in Section
22 34-21-87, Code of Alabama 1975, no licensed Alabama physician
23 shall collaborate with more than nine certified registered
24 nurse practitioners, certified nurse midwives, or assistants
25 to physicians, or the full-time equivalent thereof.

26 (c) This section shall not be construed to expand
27 the scope of practice for any certified registered nurse

1 practitioner, certified nurse midwife, or assistant to a
2 physician.

3 Section 2. Section 34-21-87, Code of Alabama 1975,
4 is amended to read as follows:

5 "§34-21-87.

6 "Notwithstanding any other provisions of this
7 article, the joint committee shall recommend model practice
8 protocols to be used by certified registered nurse
9 practitioners and certified nurse midwives and a formulary of
10 legend drugs that may be prescribed by these advanced practice
11 nurses, subject to approval by both the State Board of Medical
12 Examiners and the Board of Nursing. The joint committee ~~shall~~
13 ~~also~~ may not recommend rules and regulations to establish the
14 ratio of physicians to certified registered nurse
15 practitioners and certified nurse midwives, ~~provided, however,~~
16 ~~that the rules and regulations shall not limit the ratio to~~
17 ~~less than two nurse practitioners or midwives to one physician~~
18 ~~or one certified registered nurse practitioner and one~~
19 ~~certified nurse midwife to one physician and shall provide for~~
20 ~~exceptions.~~ No licensed physician shall collaborate with more
21 than nine certified registered nurse practitioners, certified
22 nurse midwives, or assistants to physicians, or the full-time
23 equivalent thereof, unless an exception, based upon good cause
24 shown, has been recommended by the joint committee and
25 approved by both the State Board of Medical Examiners and the
26 Board of Nursing. The joint committee shall ~~also~~ recommend
27 rules ~~and regulations~~ that establish the manner in which a

1 collaborating physician may designate a covering physician
2 when temporarily unavailable as the collaborating physician."

3 Section 3. This act shall become effective
4 immediately following its passage and approval by the
5 Governor, or its otherwise becoming law.