

NOTICE OF INTENT

Department of Health and Hospitals

Addition to Section §3328, Temporary Permits Rules and Regulations (LAC:XLVII47:3328)

Notice is hereby given in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 37:918, that the Louisiana State Board of Nursing propose to amend Chapter 33 of its rules, in particular, by amending section 3328, in order to provide a mechanism for board staff to issue Special Healthcare Event Temporary Permits to out of state Registered Nurses (RN) and Advanced Practice Registered Nurses (APRN), who are not currently licensed in the state of Louisiana, to perform nursing services in the state of Louisiana at free special healthcare events for the uninsured. RNs and APRNs applying for Special Healthcare Temporary Permits will be required to meet the same requirements for disaster relief permits, including but not limited to current, unrestricted license (s) in good standing by the licensing authority of another state, submission of a picture identification and proof of practice agreement (APRNs), and verification of employment. The permit will be issued upon such terms, conditions, limitations or restrictions to time, place, nature and scope of practice as are, in the judgment of the board, deemed necessary or appropriate to its responsibilities under law. The Special Health care Temporary Permit is issued free of charge and will be valid during the date (s) of the event and as approved by the board.

Title 46

PROFESSIONAL OCCUPATIONAL STANDARDS

Part XLVII. Nurses

Subpart 2. Registered Nurses

Chapter 33. General

Subchapter C. Registration and Registered Nurse Licensure

§3328. Disaster Relief ~~Special Health Care Event~~ Temporary Permits

A. The board may issue disaster relief temporary permits to an individual to practice as a registered nurse or advanced practice registered nurse to provide gratuitous or non-gratuitous nursing services in this state during a public health emergency, and for such periods thereafter as approved by the board. ~~provided such individual:~~

B. The board may issue a Special Healthcare Event Temporary Permit to an individual to practice as a registered nurse or advanced practice registered nurse to provide services in Louisiana, during a gratuitous special healthcare event.

C. Disaster Relief Permits and Special Healthcare Event Temporary Permits may be issued provided such individual:

1. holds a current, unrestricted license in good standing issued by the licensing authority of another state to practice as a registered nurse or as an advanced practice registered nurse;
2. presents or causes to be presented to the board:
 - a. picture identification;
 - b. proof of current licensure in another state; ~~and~~
 - c. a completed ~~Disaster~~ Permit ~~and Affidavit~~ or application for Special Healthcare Event Temporary Permit form;
 - d. a completed verification of employment for disaster or special healthcare event form; and
 - e. a collaborative practice agreement and required documents (advanced practice registered nurses).

~~B. D.~~ A Disaster Relief or Special Healthcare Event Temporary Permit may be issued upon such terms, conditions, limitations or restrictions as to time, place, nature, and scope of practice as are, in the judgment of the board, deemed necessary or appropriate to its responsibilities under law.

~~C. E.~~ The Disaster Relief Permit will be valid for 60 days from the date of issuance and may be extended for additional 60 day periods as determined appropriate and necessary by the board provided all condition prerequisites to original issuances are satisfied.

F. The Special Healthcare Event Temporary Permit will be valid during the dates(s) of the event and as approved by the board.

~~D. G.~~ If allegations of acts or omissions which constitute grounds for disciplinary action as defined in R.S. 37:911 et seq., or any rule promulgated by the board is received during the permit interval, the Disaster Relief Permit shall be recalled.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:918, 919 and 920.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Nursing, LR 33:460 (March 2007).

Family Impact Statement

1. What effect will this Rule have on the stability of the family? The proposed Rule will not affect the stability of the family.

2. What effect will this have on the authority and rights of persons regarding the education and supervision of

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their children? The proposed Rule will not affect the authority and rights of persons regarding the education and supervision of their children.

3. What effect will this have on the functioning of the family? This Rule will not affect the functioning of the family.

4. What effect will this have on family earnings and family budget? The proposed Rule will not affect the family earnings or family budget.

5. What effect will this have on behavior and personal responsibility of children? This Rule will not affect the behavior or personal responsibility of children.

6. Is the family or local government able to perform the function as contained in this proposed Rule? No, family or local government may not perform any of the functions outlined in the proposed Rule.

Poverty Impact Statement

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973.

Small Business Statement

It is anticipated that the proposed Rule will not have a significant adverse impact on small businesses as defined in the Regulatory Flexibility Act. The agency, consistent with health, safety, environmental and economic factors has considered and, where possible, utilized regulatory methods in drafting the proposed rule to accomplish the objectives of applicable statutes while minimizing any anticipated adverse impact on small businesses.

Public Comments

All interested persons may submit written comments until 5:00 p.m., June 10, 2013 to Barbara L. Morvant, Executive Director, Louisiana State Board of Nursing, 17373 Perkins Road, Baton Rouge, LA 70810.

Barbara Morvant
Executive Director