



## STATE LEGISLATIVE UPDATE

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## OAOHN MISSION

To advance the profession of Occupational and Environmental Health Nursing. This mission is fulfilled by:

- Providing educational programs to promote professional excellence and advance standards of practice;
- Promoting internal and external communications;

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## Mission Statement Continued

- Influencing legislative, regulatory and policy issues;
- Establishing strategic alliances and partnerships;
- Supporting and promoting research in occupational and environmental nursing.

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### Vision Statement

To provide a point of contact for all occupational Health nurses in the State of Ohio, referral to subject matter experts within the organization, and support the visibility of occupational health nurse impact on employee health.

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### Objectives:

- Review current nursing legislation
- Provide updated information on the nursing compact
- Discuss major state legislative issues to occupational health

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### Review of Current Legislation

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### HB 111 – Authorizes Nurses To Compel Mental Health Evaluations

- This legislation will add advanced practice registered nurses with psychology specialties to the list of authorized professionals who are able to have an individual involuntarily transported to a hospital for a mental health evaluation.
- Effective September 28, 2018

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### HB 96 – APRN DELEGATION Referred to the Health & Aging Committee

Permits certain advanced practice registered nurses to delegate to persons not otherwise authorized to administer drugs, the authority to do so under specified conditions.

Requires the Ohio Board of Nursing to adopt rules establishing standards and procedures for the delegation of the authority to administer drugs.

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### HB 96 (Cont'd)

Conditions of APRN Delegation

- APRN must assess the patient and determine that the drug is appropriate for the patient;
- APRN must determine that the person to whom the authority will be delegated has successfully completed education and demonstrates to the employer said ability to safely administer the drug.
- Delegation must be in accordance with standards and procedures established in rules adopted by the Board

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### HB 96 (Cont'd)

- Authority to administer a drug under APRN's delegation only if:
  - Drug to be administer to a specific patient;
  - Drug is listed in the formulary established by the Board for APRNs with authority to prescribe drugs and is not a controlled substance or to be administered intravenously;
  - Drug is to be administered at a location other than a hospital inpatient care unit, a hospital ER department, a free standing ER department, or an ambulatory surgical facility;

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### HB 96 (Cont'd)

- The person has successfully completed education based on a recognized body of knowledge concerning drug administration and demonstrates to the person's employer the knowledge, skills, and ability to administer the drug safely;
- The person's employer has given the APRN access to documentation, in written or electronic form, showing that the person has successfully completed the required education and demonstrates to the employer the knowledge, skills, and ability required by the bill;

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### HB 96 (Cont'd)

- The APRN is physically present at the location where the drug is administered.
- *Bill remains in the Health & Aging Committee*

➤ Questions

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### SB 55 – Physician Assistants Practice

- Permits a physician assistant, when implementing a patient's plan of care, to delegate to any person the administration of drugs and performance of tasks.
- Law does not authorize a PA independently to order or direct the execution of procedures or techniques by a RN or LPN except to the extent the PA is authorized to do so by the supervising physician and, if applicable, the policies of the

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### SB 55 (Cont'd)

- health care facility in which the PA is practicing.
- When a PA delegates a task or administration of a drug, the bill requires the PA to be physically present at the location where the task is performed or the drug administered.
- The PA must have physician-delegated prescriptive authority;
- The drug is included in the formulary established under current law;

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### SB 55 (Cont'd)

- The drug is not a controlled substance;
- The drug will not be administered intravenously; (the drug may be administered via any other route, which could be orally, topically, or into a patient's bone marrow).
- The bill makes a revision by permitting an LPN to perform limited IV therapy procedures on an adult patient under the direction of a PA if the nurse is authorized by the Board of Nursing to administer IV therapy to an adult and the PA is present and readily available at the facility or by telecommunication.

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### SB 55 (Cont'd)

- Referred to the Health & Human Services Committee
- Questions

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### NURSING LICENSURE COMPACT

- Implemented in 25 states
- National Council of State Boards of Nursing (NCSBN)
  - Allows a nurse to have one multistate license (in his or her state of residency) and to practice in other states (both physically and electronically), subject to each state's practice laws and regulations.
  - When a nurse is disciplined he/she loses multistate practice privileges.

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### NURSING LICENSURE COMPACT (Cont'd)

- NLC states must also flag when a nurse is under investigation prior to any disciplinary action being taken. This information is shared with other NLC states.
- NLC is FOR multistate licensing.
- Enhanced NLC (eNLC) proposed because some states did not accept the requirements for licensure
  - For example, the eNLC requires applicants to undergo state & federal fingerprint-based criminal background checks

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### NURSING LICENSURE COMPACT (Cont'd)

- Ohio Board of Nursing – opposed to eNLC
  - Potential risks of harm to the public outweigh the potential benefits
  - Disciplinary actions under the eNLC
  - Privacy of patients




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### HB 191 – Practice of CRNA

- Permits a certified registered nurse anesthetist (CRNA) to practice without a supervising dentist, physician or including when administering anesthesia.
- Grants a CRNA authority to select and order the anesthesia to be administered.
- Allows a CRNA to select, order and administer other drugs during certain periods and for the treatment of conditions related to the administration of anesthesia.

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### HB 191 (Cont'd)

- Authorizes a CRNA to direct nurses, respiratory therapist & other persons to administer such drugs and perform clinical support functions.

➤ Currently in the Health Committee

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### HB 456 – Mandatory Nursing Overtime

- Makes it illegal to force a nurse to work overtime
- Empowers nurses to use their professional judgment to assess if they are able to continue providing safe patient care
- Prohibits discipline or termination from the employer or Ohio Board of Nursing if a nurse refuses overtime
- Makes Ohio the 19<sup>th</sup> state to prohibit nurse mandatory overtime

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### HB 456 (Cont'd)

- Bill has been passed by the House
  - Bill now goes to the Senate
  - If not presented in the Senate, bill will be abandoned in this assembly and reintroduced in the next assembly

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### HB 501 – Changes Title of Vet Tech to Vet Nurse

- Changes professional title of a registered veterinary technician to “registered veterinary nurse”
  - Does not change the scope of practice of, or the registration or certification credentials required for those individuals
  - The title “Nurse” is not protected, but the title “Registered Nurse” is protected

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### **HB501 (Cont'd)**

- Introduced in the House
- Assigned to the Agriculture & Rural Development committee

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### **HB501 (Cont'd)**

- Introduced in the House
- Assigned to the Agriculture & Rural Development committee

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### **Questions**

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