

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 480

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO LICENSURE BOARDS; AMENDING SECTION 54-1207, IDAHO CODE, TO  
2 AUTHORIZE THE BOARD OF LICENSURE OF PROFESSIONAL ENGINEERS AND PRO-  
3 FESSONAL LAND SURVEYORS TO HIRE CERTAIN PERSONS AS AN ASSISTANT OR  
4 EXECUTIVE DIRECTOR; AMENDING SECTION 54-1404, IDAHO CODE, TO REVISE A  
5 PROVISION REGARDING THE QUALIFICATIONS OF THE EXECUTIVE DIRECTOR OF THE  
6 BOARD OF NURSING AND TO MAKE CODIFIER'S CORRECTIONS; AMENDING SECTION  
7 54-1713, IDAHO CODE, TO REVISE A PROVISION REGARDING THE QUALIFICATIONS  
8 OF THE EXECUTIVE DIRECTOR OF THE BOARD OF PHARMACY AND TO MAKE A TECHNI-  
9 CAL CORRECTION; AND PROVIDING SEVERABILITY.  
10

11 Be It Enacted by the Legislature of the State of Idaho:

12 SECTION 1. That Section 54-1207, Idaho Code, be, and the same is hereby  
13 amended to read as follows:

14 54-1207. BOARD -- ORGANIZATION AND MEETINGS. The board shall hold at  
15 least one (1) regular meeting each year. The rules of the board may pro-  
16 vide for additional regular meetings and for special meetings. Notice of all  
17 meetings shall be given as may be provided in the rules. The board shall an-  
18 nually elect a chairman, a vice-chairman and a secretary, who shall be mem-  
19 bers of the board, and they may provide for an assistant or executive direc-  
20 tor who need not be a member of the board or a licensee. Four (4) members  
21 shall constitute a quorum.

22 SECTION 2. That Section 54-1404, Idaho Code, be, and the same is hereby  
23 amended to read as follows:

24 54-1404. BOARD OF NURSING -- POWERS AND DUTIES. The board shall have  
25 all powers and duties necessary and incident to regulation of nursing and  
26 to enforcement of this chapter including, but not limited to, the power and  
27 duty:

28 (1) To regulate individuals designated as certified medication assis-  
29 tants;

30 (2) To license qualified persons for practice of nursing in Idaho; to  
31 renew licenses; to limit, restrict, amend, deny, suspend or revoke licenses;  
32 and to accept the voluntary surrender of a license;

33 (3) To establish alternatives to formal disciplinary action including  
34 a practice remediation program to educate and remediate nurses as a result of  
35 nursing practice deficiencies;

36 (4) To establish standards, criteria, conditions and requirements for  
37 licensure and to investigate and determine eligibility and qualifications  
38 for licensure, and to administer examinations for licensure;

39 (5) To establish standards of conduct and practice and to regulate the  
40 use of titles, abbreviations and designations for the practice of nursing;

1 (6) To establish standards, criteria, and requirements for curricula  
 2 for nursing education programs and to evaluate, survey, review and approve  
 3 nursing education programs subject to the provisions of section 54-1406,  
 4 Idaho Code;

5 (7) To evaluate continuing competency of persons licensed pursuant to  
 6 this chapter and to develop standards which will advance the competency of  
 7 licensees in accordance with developing scientific understanding and meth-  
 8 ods relating to the practice of nursing;

9 (8) To receive and collect license and renewal fees assessed pursuant  
 10 to this chapter and to assess, receive and collect additional reasonable  
 11 fees for the administration of examinations, investigations and evaluations  
 12 of applicants, issuance of temporary licenses, duplication and verifica-  
 13 tion of records, surveying and evaluating nursing education programs, and  
 14 administrative fines not to exceed one hundred dollars (\$100) for each count  
 15 or separate offense of practicing nursing without current licensure, to be  
 16 deposited in the state board of nursing account in the manner provided by  
 17 this chapter;

18 (9) To employ personnel necessary to administer this chapter and rules  
 19 promulgated pursuant to this chapter and perform such other duties as the  
 20 board may require. Such personnel shall include an executive director, ~~who~~  
 21 ~~shall be currently licensed to practice professional nursing in Idaho and~~  
 22 who shall not be a member of the board;

23 (10) To maintain a record of board proceedings, annually report to the  
 24 governor and maintain a public register of names and addresses of licensed  
 25 nurses;

26 (11) To enter into interstate compacts, contracts or agreements to fa-  
 27 cilitate the practice and regulation of nursing in this state;

28 ~~(11)~~ (12) To evaluate and develop, or to enter into contracts or agreements  
 29 with others to evaluate and develop, the education, distribution and avail-  
 30 ability of the nursing workforce for the purpose of improving the delivery of  
 31 quality health care;

32 ~~(12)~~ (13) To make, adopt and publish rules pursuant to chapter 52, title  
 33 67, Idaho Code, as may be necessary or appropriate to carry out the provi-  
 34 sions and purposes of this chapter.

35 SECTION 3. That Section 54-1713, Idaho Code, be, and the same is hereby  
 36 amended to read as follows:

37 54-1713. ORGANIZATION OF THE BOARD. (1) The board of pharmacy shall  
 38 elect from its members a chairman and such other officers as it deems ap-  
 39 propriate and necessary to the conduct of its business. The chairman of the  
 40 board of pharmacy shall preside at all meetings of the board and shall be re-  
 41 sponsible for the performance of all of the duties and functions of the board  
 42 required or permitted by this ~~act~~ chapter. Each additional officer elected  
 43 by the board shall perform those duties normally associated with his posi-  
 44 tion and such other duties assigned to him from time to time by the board.

45 (2) Officers elected by the board shall serve terms of one (1) year com-  
 46 mencing with the day of their election, and ending upon election of their  
 47 successors and shall serve no more than one (1) consecutive full term in each  
 48 office to which they are elected.

1           (3) The board shall employ a ~~licensed pharmacist~~ person who shall be an  
2 ex officio member of the board without vote to serve as a full-time employee  
3 of the board in the position of executive director. The executive director  
4 shall be responsible for the performance of the regular administrative func-  
5 tions of the board and such other duties as the board may direct.

6           SECTION 4. SEVERABILITY. The provisions of this act are hereby declared  
7 to be severable and if any provision of this act or the application of such  
8 provision to any person or circumstance is declared invalid for any reason,  
9 such declaration shall not affect the validity of the remaining portions of  
10 this act.