

IN THE SENATE

SENATE BILL NO. 1262

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO NURSES; AMENDING SECTION 54-1404, IDAHO CODE, TO REVISE TERMI-  
2 NOLOGY, TO AUTHORIZE THE IMPOSITION OF A MONETARY PENALTY AS AN ALTER-  
3 NATIVE TO FORMAL DISCIPLINE AGAINST NURSES WHO VIOLATE NURSING STATUTES  
4 OR RULES, TO CORRECT A CODIFIER ERROR AND TO MAKE TECHNICAL CORRECTIONS.  
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6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 54-1404, Idaho Code, be, and the same is hereby  
8 amended to read as follows:

9 54-1404. BOARD OF NURSING -- POWERS AND DUTIES. The board shall have  
10 all powers and duties necessary and incident to regulation of nursing and  
11 to enforcement of this chapter including, but not limited to, the power and  
12 duty:

13 (1) To regulate individuals designated as certified medication assis-  
14 tants-;

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

18 (3) To establish alternatives to formal disciplinary action ~~including.~~  
19 An alternative to discipline for any violation under this chapter or a rule  
20 promulgated by the board may include placing the nurse in a practice remedia-  
21 tion program designed to educate and remediate nurses as a result of nursing  
22 practice deficiencies. In addition to or instead of placement in a remedi-  
23 ation program, an alternative to discipline may include the assessment of a  
24 monetary penalty not to exceed one thousand dollars (\$1,000) in any individ-  
25 ual action;

26 (4) To establish standards, criteria, conditions and requirements for  
27 licensure and to investigate and determine eligibility and qualifications  
28 for licensure, and to administer examinations for licensure;

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

31 (6) To establish standards, criteria, and requirements for curricula  
32 for nursing education programs and to evaluate, survey, review and approve  
33 nursing education programs subject to the provisions of section 54-1406,  
34 Idaho Code;

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

39 (8) To receive and collect license and renewal fees assessed pursuant  
40 to this chapter and to assess, receive and collect additional reasonable  
41 fees for the administration of examinations, investigations and evaluations  
42 of applicants, issuance of temporary licenses, duplication and verifica-

1 tion of records, surveying and evaluating nursing education programs, and  
2 administrative fines not to exceed one hundred dollars (\$100) for each count  
3 or separate offense of practicing nursing without current licensure, to be  
4 deposited in the state board of nursing account in the manner provided by  
5 this chapter;

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

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

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

16 (1~~1~~2) To evaluate and develop, or to enter into contracts or agreements  
17 with others to evaluate and develop, the education, distribution and avail-  
18 ability of the nursing workforce for the purpose of improving the delivery of  
19 quality health care;

20 (1~~2~~3) To make, adopt and publish rules pursuant to chapter 52, title 67,  
21 Idaho Code, as may be necessary or appropriate to carry out the provisions  
22 and purposes of this chapter.