

SENATE No. 1207

The Commonwealth of Massachusetts

PRESENTED BY:

Marc R. Pacheco

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act remove the restrictions on the licenses of nurse practitioners and certified registered nurse anesthetists as recommended by the Institute of Medicine and the Federal Trade Commission.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>
<i>William M. Straus</i>	<i>10th Bristol</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Linda Dorcena Forry</i>	<i>First Suffolk</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>
<i>Barbara L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>
<i>Daniel A. Wolf</i>	<i>Cape and Islands</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Edward F. Copping</i>	<i>10th Suffolk</i>
<i>Kenneth J. Donnelly</i>	<i>Fourth Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>

<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>
<i>Donald H. Wong</i>	<i>9th Essex</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Eileen M. Donoghue</i>	<i>First Middlesex</i>
<i>Timothy J. Toomey, Jr.</i>	<i>26th Middlesex</i>
<i>Walter F. Timilty</i>	<i>7th Norfolk</i>
<i>Leah Cole</i>	<i>12th Essex</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>

SENATE No. 1207

By Mr. Pacheco, a petition (accompanied by bill, Senate, No. 1207) of Marc R. Pacheco, William M. Straus, Angelo J. Puppolo, Jr., David Paul Linsky and other members of the General Court for legislation to remove the restrictions on the licenses of nurse practitioners and certified registered nurse anesthetists as recommended by the Institute of Medicine and the Federal Trade Commission. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act remove the restrictions on the licenses of nurse practitioners and certified registered nurse anesthetists as recommended by the Institute of Medicine and the Federal Trade Commission.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 1 of chapter 94C of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by inserting after the definition for “Marihuana” the
3 following definition:-

4 “Medication Order”, an order for medication entered on a patient's medical record
5 maintained at a hospital, other health facility, or ambulatory health care setting registered under
6 this chapter and that is dispensed only for immediate administration at the facility to the ultimate
7 user by an individual who under chapter 94C administers such medication. If this chapter
8 requires a prescription, a "Medication Order" shall satisfy such requirement for all purposes.

9 SECTION 2. The definition of “practitioner”, in said section 1 of said chapter 94C, as so
10 appearing, is hereby amended by adding the following 2 subsections:-

11 (d) A nurse practitioner authorized by section 80E of chapter 112 and registered pursuant
12 to subsection (f) of section 7 to distribute, dispense, conduct research with respect to, or use in
13 teaching or chemical analysis, a controlled substance in the course of professional practice or
14 research in the commonwealth.

15 (e) A nurse anesthetist authorized by section 80H of chapter 112 and registered pursuant
16 to subsection (f) of section 7 to distribute, dispense, conduct research with respect to, or use in
17 teaching or chemical analysis, a controlled substance in the course of professional practice or
18 research in the commonwealth.

19 SECTION 3. Section 7 of said chapter 94C, as so appearing, is hereby amended in
20 subsection (f) by adding in lines 115 and 118 after the word “podiatrist,” the following words: -
21 nurse practitioner, nurse anesthetist

22 SECTION 4. Said section 7 of said chapter 94C, as so appearing, is hereby further
23 amended in subsection (g) by striking out in line 129 the words “nurse practitioners and for”

24 SECTION 5. Said subsection (g) of section 7 of said chapter 94C, as so appearing, is
25 hereby further amended by striking out in line 138 the words: “nurse practitioners and”

26 SECTION 6. Said subsection (g) of said section 7 of said chapter 94C, as so appearing,
27 is hereby further amended by striking out the last paragraph.

28 SECTION 7. Section 9 of said chapter 94C, as so appearing, is hereby amended in
29 subsection (a) by inserting in line 1 after the word “podiatrist,” the following words:- nurse
30 practitioner, nurse anesthetist,

31 SECTION 8. Said subsection (a) of section 9 of said chapter 94C, as so appearing, is
32 hereby further amended in line 3 by striking out the words “nurse practitioner and” and in lines 7
33 and 8 by striking the words “nurse anesthetist, as limited by subsection (g) of said section 7 and
34 section 80H of said chapter 112,”

35 SECTION 9. Said section 9 of said chapter 94C, as so appearing, is hereby further
36 amended in subsection (b) by inserting in line 27 after the words “nurse-midwifery,” the
37 following words:- advanced practice nursing

38 SECTION 10. Said section 9 of said chapter 94C, as so appearing, is hereby further
39 amended in subsection (e) by inserting in lines 91 and 98 after the words “nurse practitioner,” the
40 following words:- nurse anesthetist

41 SECTION 11. Section 18 of said chapter 94C, as so appearing, is hereby amended in
42 lines 10, 26, 52 and 53 by adding after the words “to practice medicine” the following words:- or
43 advanced practice nursing

44 SECTION 12. Said section 18 of chapter 94C, as so appearing, is hereby further amended
45 in line 24 by adding after the words “said physician” the following words:- or practitioner

46 SECTION 13. Said section 18 of chapter 94C, as so appearing, is hereby further amended
47 by striking out, in lines 37 and 38, the words “a physician who is licensed to practice medicine”
48 and by inserting in place thereof the following words:- a practitioner who is licensed to practice
49 medicine or advanced practice nursing

50 SECTION 14. Section 80B of chapter 112, as so appearing in the Official Edition is
51 hereby amended by inserting in line 12 after the word “practitioners” the following words:- ,
52 nurse anesthetists

53 SECTION 15. Said section 80B of chapter 112, as so appearing, is hereby further
54 amended by striking out the seventh paragraph and inserting in place thereof the following
55 paragraph:- The board shall promulgate advanced practice nursing regulations which govern the
56 provision of advanced practice nursing services and related care including, but not limited to, the
57 ordering and interpreting of tests, the ordering and evaluation of treatment and therapeutics and
58 any registration as a practitioner, under chapter 94C.

59 SECTION 16. Said section 80B of chapter 112, as so appearing, is hereby further
60 amended by striking out in lines 61 and 62 the following words:- “in the ordering of tests,
61 therapeutics and the prescribing of medications,”

62 SECTION 17. Section 80E of chapter 112, as so appearing, is hereby amended by
63 striking out in lines 1 and 7 the following words:- nurse practitioner or

64 SECTION 18. Said section 80E of chapter 112, as so appearing, is hereby further
65 amended by adding the following sentence:- Pursuant to section 80B, a nurse practitioner may be
66 registered to distribute, dispense, conduct research with respect to, or use in teaching or
67 chemical analysis, a controlled substance in the course of professional practice or research in the
68 commonwealth in accordance with regulations promulgated by the board of registration in
69 nursing after consultation with the commissioner of public health.

70 SECTION 19. Chapter 112 of the General Laws, as so appearing, is hereby amended by
71 striking out Section 80H in its entirety and inserting in place thereof the following section:-

72 Section 80H. Pursuant to section 80B, a nurse anesthetist may be registered to distribute,
73 dispense, conduct research with respect to, or use in teaching or chemical analysis, a controlled
74 substance in the course of professional practice or research in the commonwealth in accordance
75 with regulations promulgated by the board of registration in nursing after consultation with the
76 commissioner of public health.

77 SECTION 20. Section 80I of chapter 112 of the General Laws inserted by section 113 of
78 chapter 224 of the acts of 2014 is hereby amended by striking out the second and third sentences.

79 SECTION 21. Section 211 of said chapter 112, as so appearing, is hereby amended in
80 line 31 by inserting after the word “physician” the following words:- or nurse anesthetist

81 SECTION 22. Said section 211 of said chapter 112, as so appearing, is hereby further
82 amended in line 33 by adding after the word “anesthesiologist” the following words:- or nurse
83 anesthetist