

**SENATE
STATE OF MINNESOTA
NINETIETH SESSION**

S.F. No. 527

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DATE
02/02/2017

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OFFICIAL STATUS
Introduction and first reading
Referred to Judiciary and Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to health occupations; modifying the nurse practices act; clarifying licensure
1.3 requirements for advanced practice registered nurses; amending Minnesota Statutes
1.4 2016, sections 148.171, subdivision 7b, by adding a subdivision; 148.211,
1.5 subdivisions 1a, 1c, 2; repealing Minnesota Statutes 2016, sections 148.211,
1.6 subdivision 1b; 148.243, subdivision 15.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2016, section 148.171, subdivision 7b, is amended to read:

1.9 Subd. 7b. ~~**Intervention Encumbered.** "Intervention" means any act or action, based~~
1.10 ~~upon clinical judgment and knowledge that a nurse performs to enhance the health outcome~~
1.11 ~~of a patient~~ "Encumbered" means (1) a license that is revoked, suspended, or contains
1.12 limitations on the full and unrestricted practice of nursing when the revocation, suspension,
1.13 or limitation is imposed by a state licensing board, or (2) a license that is voluntarily
1.14 surrendered.

1.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.

1.16 Sec. 2. Minnesota Statutes 2016, section 148.171, is amended by adding a subdivision to
1.17 read:

1.18 Subd. 7c. **Intervention.** "Intervention" means any act or action based upon clinical
1.19 judgment and knowledge that a nurse performs to enhance the health outcome of a patient.

1.20 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.1 Sec. 3. Minnesota Statutes 2016, section 148.211, subdivision 1a, is amended to read:

2.2 Subd. 1a. **Advanced practice registered nurse licensure.** (a) ~~Effective January 1, 2015,~~
2.3 No advanced practice nurse shall practice as an advanced practice registered nurse unless
2.4 the advanced practice nurse is licensed by the board under this section.

2.5 (b) An applicant for a license to practice as an advanced practice registered nurse (APRN)
2.6 shall apply to the board in a format prescribed by the board and pay a fee in an amount
2.7 determined under section 148.243.

2.8 (c) To be eligible for licensure an applicant:

2.9 (1) must hold a current Minnesota professional nursing license or demonstrate eligibility
2.10 for licensure as a registered nurse in this state;

2.11 (2) must not hold an encumbered license as a registered nurse in any state or territory;

2.12 (3)(i) must have completed a graduate level APRN program accredited by a nursing or
2.13 nursing-related accrediting body that is recognized by the United States Secretary of
2.14 Education or the Council for Higher Education Accreditation as acceptable to the board.
2.15 The education must be in one of the four APRN roles for at least one population focus. For
2.16 APRN programs completed on or after January 1, 2016, the program must include at least
2.17 one graduate-level course in each of the following areas: advanced physiology and
2.18 pathophysiology; advanced health assessment; and pharmacokinetics and
2.19 pharmacotherapeutics of all broad categories of agents; or

2.20 (ii) must demonstrate compliance with the advanced practice nursing educational
2.21 requirements that were in effect in Minnesota at the time the applicant completed the
2.22 advanced practice nursing education program;

2.23 (4) must be currently certified by a national certifying body recognized by the board in
2.24 the APRN role and population foci appropriate to educational preparation;

2.25 (5) must report any criminal conviction, nolo contendere plea, Alford plea, or other plea
2.26 arrangement in lieu of conviction; and

2.27 (6) must not have committed any acts or omissions which are grounds for disciplinary
2.28 action in another jurisdiction or, if these acts have been committed and would be grounds
2.29 for disciplinary action as set forth in section 148.261, the board has found, after investigation,
2.30 that sufficient restitution has been made.

2.31 **EFFECTIVE DATE.** This section is effective the day following final enactment.

3.1 Sec. 4. Minnesota Statutes 2016, section 148.211, subdivision 1c, is amended to read:

3.2 Subd. 1c. **Postgraduate practice.** A nurse practitioner or clinical nurse specialist who
 3.3 qualifies for licensure as an advanced practice registered nurse must practice for at least
 3.4 2,080 hours, within the context of a collaborative agreement, within a hospital or integrated
 3.5 clinical setting where advanced practice registered nurses and physicians work together to
 3.6 provide patient care. The nurse practitioner or clinical nurse specialist shall submit written
 3.7 evidence to the board with the application, or upon completion of the required collaborative
 3.8 practice experience. For purposes of this subdivision, a collaborative agreement is a mutually
 3.9 agreed upon plan for the overall working relationship between a nurse practitioner or clinical
 3.10 nurse specialist, and one or more physicians licensed under chapter 147 or in another state
 3.11 or United States territory, or one or more advanced practice registered nurses licensed under
 3.12 this section that designates the scope of collaboration necessary to manage the care of
 3.13 patients. The nurse practitioner or clinical nurse specialist, and one of the collaborating
 3.14 physicians or advanced practice registered nurses, must have experience in providing care
 3.15 to patients with the same or similar medical problems.

3.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.

3.17 Sec. 5. Minnesota Statutes 2016, section 148.211, subdivision 2, is amended to read:

3.18 Subd. 2. **Licensure by endorsement.** (a) The board shall issue a license to practice
 3.19 professional nursing or practical nursing without examination to an applicant who has been
 3.20 duly licensed or registered as a nurse under the laws of another state, territory, or country,
 3.21 if in the opinion of the board the applicant has the qualifications equivalent to the
 3.22 qualifications required in this state as stated in subdivision 1, all other laws not inconsistent
 3.23 with this section, and rules promulgated by the board.

3.24 ~~(b) Effective January 1, 2015, an applicant for advanced practice registered nurse licensure~~
 3.25 ~~by endorsement is eligible for licensure if the applicant meets the requirements in paragraph~~
 3.26 ~~(a) and demonstrates:~~

3.27 ~~(1) current national certification or recertification in the advanced role and population~~
 3.28 ~~focus area; and~~

3.29 ~~(2) compliance with the advanced practice nursing educational requirements that were~~
 3.30 ~~in effect in Minnesota at the time the advanced practice registered nurse completed the~~
 3.31 ~~advanced practice nursing education program.~~

3.32 **EFFECTIVE DATE.** This section is effective the day following final enactment.

4.1 Sec. 6. **REPEALER.**

4.2 Minnesota Statutes 2016, sections 148.211, subdivision 1b; and 148.243, subdivision
4.3 15, are repealed.

4.4 **EFFECTIVE DATE.** This section is effective the day following final enactment.

148.211 LICENSING.

Subd. 1b. **Advanced practice registered nurse grandfather provision.** (a) The board shall issue a license to an applicant who does not meet the education requirements in subdivision 1a, paragraph (c), clause (3), if the applicant:

(1) is recognized by the board to practice as an advanced practice registered nurse in this state on July 1, 2014;

(2) submits an application to the board in a format prescribed by the board and the applicable fee as determined under section 148.243 by January 1, 2015; and

(3) meets the requirements under subdivision 1a, paragraph (c), clauses (1), (2), (4), (5), and (6).

(b) An advanced practice registered nurse licensed under this subdivision shall maintain all practice privileges provided to licensed advanced practice registered nurses under this chapter.

148.243 FEE AMOUNTS.

Subd. 15. **Practicing without current APRN certification.** The fee for practicing without current APRN certification is \$200 for the first month or any part thereof, plus \$100 for each subsequent month or part thereof.